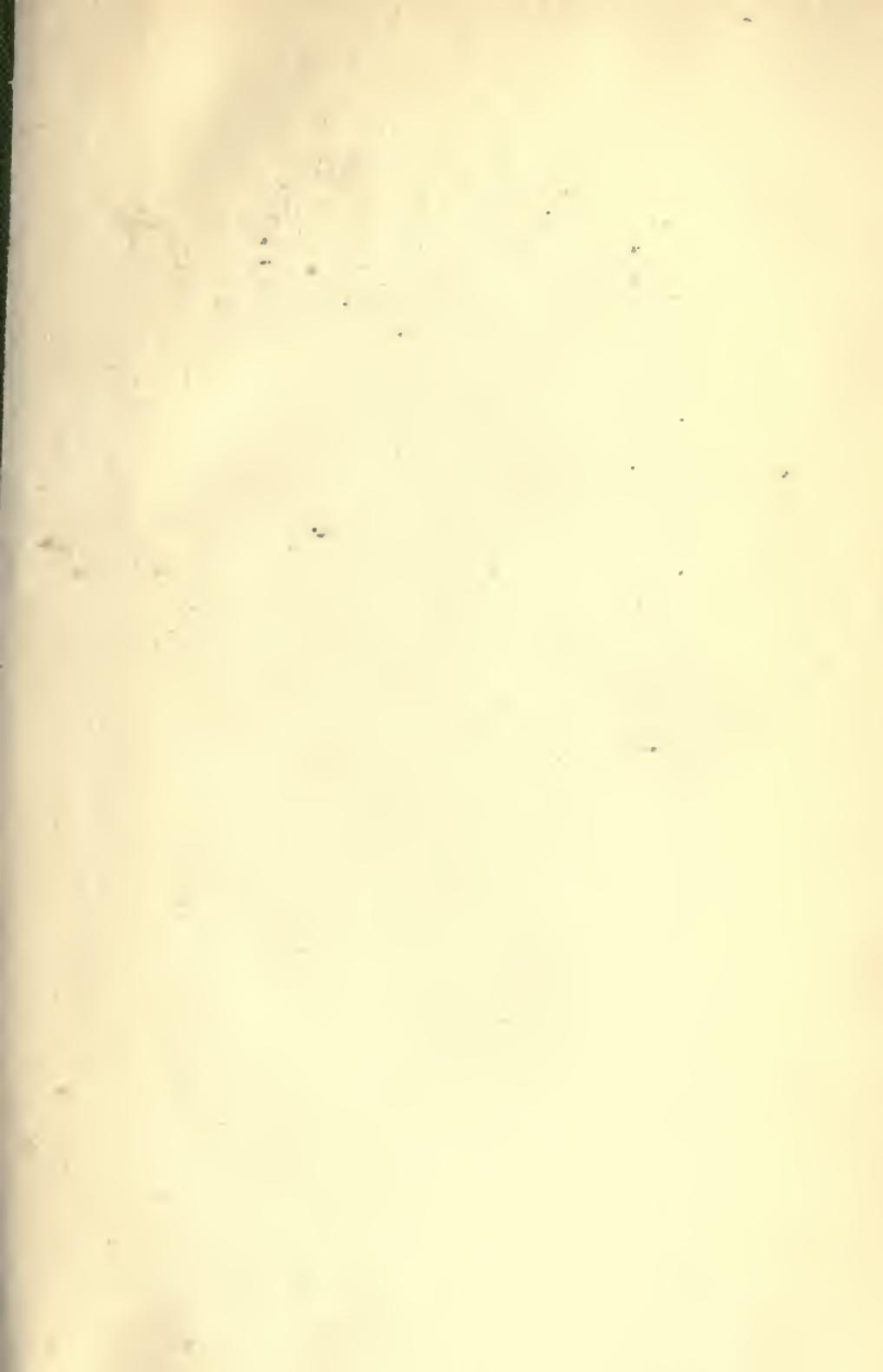


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72. Higher Nationality; A Study in Law and Ethics, by Lord Haldane, November, 1913. pp. 3-30

73. The Control of the Fighting Instinct, by George M. Stratton, December, 1913. pp. 3-13

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Postoffice Sub-station 84, New York, N. Y.

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SCHOOL BOOKS AND INTERNATIONAL PREJUDICES



BY

ALBERT BUSHNELL HART

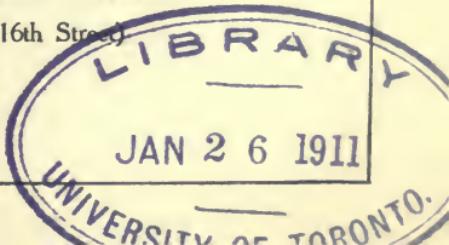
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American Association for International Conciliation

Sub-station 84 (501 West 116th Street)

New York City



The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 15.

SCHOOL BOOKS AND INTERNATIONAL PREJUDICES

Those psychologists who trace back the feelings and the antipathies of human nature to tree-dwelling and raw-flesh-eating ancestors, try to make out that child life is a continued survival of the epoch of Little Red Riding-hood: mothers are requested to examine their children to find out whether they have an instinctive terror of big eyes and sharp teeth; new-born babes are induced to clasp clothes-lines in proof that their ancestors swung from tree to tree like the monkeys of the Amazon; and we are assured that international rivalries and enmities are nothing more than a continuance of the impressions and hatreds left by ages of tribal warfare, with its surprises, its captures, its slavery and its tortures.

True enough, the ordinary frame of mind of savage tribes is hostility to everybody who does not use the locally fashionable method of twisting the hair; and who does not recognize the "organization," the "boss," the "big chief" for the time being. Equally true, much of this feeling of suspicion and dislike exists among civilized nations: to the Greeks everybody who could not conjugate his "luo, lueis" said nothing but "bar, bar," and a barbarian he was reckoned. The Romans had practically the savage system of looking on all the people of the earth who had not made treaties with them as public enemies, and that sentiment is not to this day entirely extinct. But modern civilized nations are bound, far and wide,

by treaties; and still more by principles of international relations recognized throughout the world. Travelers discover that human nature is much the same the world over; and that, however much you may hate a race, the individuals of that race may turn out to be your most faithful friends.

Three large influences make for a mutual understanding from folk to folk. The first is the newspaper, which every morning prints information from the uttermost parts of the earth. The second is travel, which teaches a multitude of people that the Chinaman, the Turk, the Zulu, and the Mexican are, after all, rather agreeable people. The third influence is the internationalization of men of learning in their world-congresses of doctors, of publicists, of engineers, of journalists, of what not, which have a mighty effect in breaking down the feeling that a man is dangerous to you because he uses strange sounds, eats out of an unaccustomed kettle, and wears his traditional costume.

One of the chief obstacles in the way of a better international understanding is the patriotic historian, who brings into the lime-light the prowess and conquests of his own race or people as against rival races. Every historian likes to be impartial; but how can an Englishman be expected calmly to weigh and adjust the motives and methods of the Spanish in the Armada? What biographer of Lord Nelson appreciates the discipline and strategy of his French and Spanish opponents? What Frenchman feels that the German campaign of 1806 was a causeless assault upon a weaker power? War breeds war: the conqueror feels the need of maintaining his reputation, and the

conquered seeks revenge. Then the incidents of warfare in the field leave an ineffaceable mark of savagery; so that for decades women in western Europe terrified their whimpering children into silence by the threat that the Croats would get them. There are parts of central France where the brutality of the Angevin Kings of England is still remembered after six centuries; and the Chinese peasants on the banks of the Pei-ho are doubtless bringing up their children to a detestation of the rapacious foreign devils who in 1900 marched over their land with fire and sword.

The general amelioration of manners has much reduced this cause of international hatred. In the American Civil War, as in the French and German War of 1870, hardly a city was given to the flames, few innocent non-combatants were shot, almost no woman suffered violence. Atrocities in the Philippine War which were not without precedent in the relations of European and Asiatic races, at once led to an uproar of protest in America. The historian is seldom called upon nowadays to inspire national hatreds by recalling the cruelties of the other side: the Black Hole of Calcutta, the massacre at Fort William Henry, the prison hulks in New York harbor, the Bulgarian atrocities of 1878, have all gone by; and it is possible now to admit that there is virtue and humanity among Bengalis, Frenchmen and Turks.

School histories have usually been written by people who knew very little history, and have thought it necessary to provide strong meat for little minds: hence the lurid pictures of the past which are forced upon the attention of millions of young people, and

which leaves an impression that often lasts through life. Many years after the war with Prussia the French school geographies still printed Alsace-Lorraine in a different color from that of Germany. A writer for the youth of the Confederacy during the Civil War laid down the axiom that "the Yankees are an intellectual and cultivated people on all subjects except slavery: on that subject they are mad"; and doubtless similar generalizations, pointed the other way, might be found in the northern text-books of the same period.

The Revolution has been a fruitful source of national hatred toward the mother country. It was the great and absorbing event in the history of North America, down to the Civil War; it was adorned with great names; it abounds in lofty principles. According to most of the American text-books the Revolution was an unprovoked attack upon the American people by the British people. Entirely out of focus are the trifling details that the colonists were English; that they had the freest self-government then known to mankind; that at least a third of the people in the colonies were opposed to independence; that no taxes were ever laid on the colonies for the support of government or military authorities outside of America; that a strong minority in England was opposed to the war.

Thus Miss Willard, in her well-written and generally sensible history, published in 1842, sums up the issues of the Revolution as follows: "Finally she claimed the right to collect from the provinces, a revenue, either by external duties imposed for the regulation of

trade, or by internal taxes, on articles to be consumed by the colonists. It was the subject of internal taxation, on which the most decided opposition of opinions prevailed. The Americans did not dispute the right of the British, in respect to external taxes, except when carried to a vexatious extent, as in the case of the law called the Sugar Act; but the subject of internal taxes, having been deeply considered, they deliberately determined not to submit to their imposition in any manner, or by any assembly, except by one composed of their own representatives."

Quackenbos (author also of *A Natural History*, and a *Rhetoric*), in his similar work, which was the first introduction of the writer of this article to the details of his country's history, thus summarizes the causes of the Revolution: "The people of America were descendants of men who had fled from oppression, and braved the hardships of the wilderness for the blessings of civil and religious liberty. They had endured incredible sufferings, and through their own unaided industry had at last prospered and grown strong. When poor and feeble, they had been neglected by the mother country; as soon as they became worth governing, Britain had sent them governors; and now that they were growing rich, she sought to increase her revenues by taxing them." Quackenbos is also strong on British atrocities, as for example: "At this early period were commenced those acts of savage cruelty which too often disgraced the British troops in the course of the war. Percy allowed his men to plunder and fire a number of houses on the route." And again: "During Prevost's incursion,

the whig families in the neighborhood of Charleston suffered much from the brutality and rapacity of his soldiers. Plantations were devastated. Money, jewels, and plate were carried off; slaves were stolen, to be sold in the West Indies; and what could not be taken away was destroyed." Nevertheless to Quackenbos it appeared perfectly natural that the South Carolina patriots should appear "when least expected, cutting off straggling parties, swooping down on the rear of their armies, always fearless and generally victorious." N. S. Dodge, in his *Stories of American History*, reduces the difficulty to the following statement in easy words: "But there was one trouble. England was the Mother Country, and the people had a quarrel with England. George the Third was king, both of England and America, and he wanted us to be governed by laws which he made, and not laws which we ourselves made. We refused. He was angry. And so his parliament passed a law, which was called the Boston Port Bill."

The War of 1812 also gives opportunity for an arraignment of England. The raid on York in 1813 is by Quackenbos transformed into a gallant and desperate expedition: "Among the trophies transmitted to the War Department was the mace used by the speaker of the provincial legislature, above which a human scalp was found suspended." The battle of Lundy's Lane was an American victory: "At midnight they gave up their efforts, and left the Americans in possession of the field."

Few thoughtful people on either side of the water would now dispute the statement that the Revolution

was, on the whole, an advantage to the world; because the Americans could render a greater service to mankind as an independent nation than as a colony of Great Britain. Nor would anybody deny that the Revolutionary leaders were convinced that they were suffering from tyranny: a passionate feeling of resentment keyed up the Americans to continue a struggle against what seemed overwhelming odds. Nevertheless dispassionate historians nowadays, whether English or American, whether John Fiske or Trevelyan, fail to find evidence of deliberate ill-usage of the colonists, or a denial of what, up to that time, had been supposed to be the rights of the people.

The Revolution was really part of a protest of the English-speaking race against arbitrary and one-sided government. Sir Edward Thornton, when minister of Great Britain to the United States in 1880, said in public: "All thoughtful Englishmen now recognize that you Americans were fighting our battles." In England the struggle finally worked out into a development of parliamentary responsibility, and then into a reformed electorate; in America a somewhat similar constitutional change resulted in the formation of state and federal government of a different type; but the impulse was the same.

It is one of the world's misfortunes that this struggle took the form of such a division of the English race as left the seeds of bitterness behind. To be sure England soon lost the feeling of resentment: about 1789, when Lord North was baited in Parliament for having brought on the American war, he had no defense to make for his lack of political wisdom; his

only reply was that his critics also believed in making war when the struggle began. On the American side the feeling of antipathy to England lasted more than a century. It was much strengthened by the belief that a monarchy is necessarily a tyranny, that there is no just and popular government except a democracy of the American type.

The aristocratic system of England, its titles and social privileges have added to this feeling, partly because of social discriminations which Americans, who justly thought well of themselves, have experienced in England. Trevelyan believes that one of the principal causes of the Revolution was the overbearing manners of the Englishmen—military and civil—sent over to America; and until about fifteen years ago the average Englishman, all over the world, wherever he met an American was inclined to browbeat or ignore him. The American retaliated with sneers at the British Lion, or with defiance. There is a story of an American naval officer who, soon after the War of 1812, was invited to dine on board a British ship, and was warned beforehand that he must take no notice of Lieutenant Postlethwaite, for that officer had a habit, whenever he got drunk, of reviling Americans; to which the American replied that it was very unfortunate, for he had the habit, whenever he got drunk and anybody spoke ill of his country, of throwing his insulter overboard. The story well enough illustrates the popular notion that an Englishman would naturally decry the Americans. English books of travel in the first half of the nineteenth century also gave offense, chiefly because of the truths they

included; although the Americans were probably right in thinking that Miss Martineau saw a very limited are of American society, and that Martin Chuzzlewit was a gross exaggeration as applied to the whole country.

The rancor against Great Britain was somewhat relieved by the War of 1812, in which the original aggression was indubitably on the British side, but which finally was declared because of the American expectation of conquering Canada—an expectation which was ingloriously defeated. Still, the victories at Plattsburg and New Orleans left the Americans with the belief that they had somehow been the victors, and gave rise to the million times repeated boast: "We have licked England twice, and we can do it again."

In the fifties the relations were more friendly than they had ever been, but the Civil War gave them a terrible wrench, principally as we now see because the American government was determined not to treat the hostilities as war, but as a kind of domestic difficulty ("the late onpleasantness" as Artemus Ward dubbed it) to which our own favorite principles of international law and neutral trade did not apply. From the British point of view the Court of St. James showed almost reprehensible favor to the northern side; but the wrong turn was taken in the Alabama matter. Although in the treaty of Washington, in 1871, the British government did what few governments have ever done, except under military necessity, formally apologized for its action,—nevertheless for thirty years a considerable majority of Americans felt hostile to England.

The turning point came at about the time of the Spanish war of 1898, when the official good-will of the British government was made evident; and when also a great revolution came about in the attitude of England toward America. Apparently the English nation has suddenly come to understand how important it is that the two great English speaking nations of the world should act in harmony.

Certainly, never since the peace of Ghent of 1814 has there been good reason for the prevailing national dislike of Great Britain, which was much fomented by the hostile feeling of the Irish in America. During the last hundred years has steadily gone on that interchange of visitors, that coming of immigrants, that exchange of literature, that steady and enormous trade, which all contribute to bring the two nations nearer each other than almost any other two great Powers in the world. In general the foreign diplomacy of Great Britain has been amiable: in the half dozen serious incidents that have arisen, most of them boundary questions, the British foreign office has usually been reasonable and patient; where a settlement could not be reached otherwise it has urged arbitration; and as a rule the administration in the United States has shown a similar desire to be at peace and concord with Great Britain.

The time has come when school books prepared for both American and British youth should recognize this state of things; when the Revolution should no longer be treated as a causeless aggression, but as a deep and broad Anglo-Saxon movement, in which both sides had some right and both had some wrong.

To children should be pointed out the general good temper of British diplomacy toward America at times when it was very aggressive in other parts of the world. The evident disposition of Great Britain to assume brotherly relations with the United States should be reciprocated. The century of peace between the two countries is a reason for pride to both of them, for they have had many objects of rival desire which one after another have been settled: the North-eastern boundary, the Northern boundary, the seal fisheries, the Alaskan boundary, the Samoan tangle, the Venezuelan puzzle, the Newfoundland fisheries, and complicated questions of trade and commerce.

What is the use of trying to teach little children to dislike a nation which includes millions of little children, because three or four generations ago there was war between the two countries? The groundwork of American intellectual and political life is and will always remain English. The true principle in writing text-books ought to be to dwell upon our glorious heritage of all of England down to the Revolution, and much since that time. Shakespeare is our dramatist; Elizabeth was our queen; Tennyson is our poet; Dickens is our novelist. We ought to recognize the fact that the English have been working out a magnificent system of popular government on their own lines; that king, lords and bishops do not interfere with a government subject to public opinion; that of all the nations of the world Great Britain is that one which is nearest to the United States in kinship, in institutions, and in aspirations.

ALBERT BUSHNELL HART

SUPPLEMENT TO
INTERNATIONAL CONCILIATION

MR. CARNEGIE'S LETTER
TO THE TRUSTEES OF THE
Carnegie Endowment for the Advancement
of Peace



AND
Resolutions adopted by the Trustees

JANUARY, 1911, No. 38

American Association for International Conciliation

Sub-station 84 (501 West 10th Street)

New York City

JAN 26 1911



The princely gift of Mr. Andrew Carnegie for the advancement of peace, marks an epoch-making advance in the history of the world's civilization. The American Association for International Conciliation feels that Mr. Carnegie's letter accompanying the gift and the resolutions of acceptance adopted by the Trustees should be carefully studied throughout the world as historical documents of the first importance.

MR. CARNEGIE'S LETTER

Gentlemen—I have transferred to you as trustees of the Carnegie Peace Fund, \$10,000,000 of five-percent first mortgage bonds, value \$11,500,000, the revenue of which is to be administered by you to hasten the abolition of international war, the foulest blot upon our civilization. Although we no longer eat our fellowmen nor torture prisoners, nor sack cities, killing their inhabitants, we still kill each other in war like barbarians. Only wild beasts are excusable for doing that in this, the Twentieth Century of the Christian Era, for the crime of war is inherent, since it decides not in favor of the right but always of the strong. The nation is criminal which refuses arbitration and drives its adversary to a tribunal which knows nothing of righteous judgment.

I believe that the shortest and easiest path to peace lies in adopting President Taft's platform, who said in his address before the Peace and Arbitration Society, New York, March 22, 1910:

“ I have noticed exceptions in our arbitration treaties, as to reference of questions of national honor to courts of arbitration. Personally I do not see any more reason

why matters of national honor should not be referred to a court of arbitration than matters of property or of national proprietorship. I know that is going farther than most men are willing to go, but I do not see why questions of honor may not be submitted to a tribunal composed of men of honor, who understand questions of national honor, to abide by their decision, as well as any other questions of difference arising between nations.”

I venture to quote from my address as President of the Peace Congress in New York, 1907:

“Honor is the most dishonored word in our language. No man ever touched another man’s honor; no nation ever dishonored another nation; all honor’s wounds are self-inflicted.”

At the opening of the International Bureau of American Republics at Washington, April 26, 1910, President Taft said:

“We twenty-one republics cannot afford to have any two or any three of us quarrel. We must stop this, and Mr. Carnegie and I will not be satisfied until all nineteen of us can intervene by proper measures to suppress a quarrel between any other two.”

I hope the trustees will begin by pressing forward upon this line, testing it thoroughly and doubting not.

The judge who presides over a cause in which he is

interested dies in infamy, if discovered. The citizen who constitutes himself a judge in his own cause as against his fellow-citizen, and presumes to attack him, is a lawbreaker and as such disgraced. So should a nation be held as disgraced which insists upon sitting in judgment in its own cause in case of an international dispute.

I call your attention to the following resolution introduced by the Committee on Foreign Relations in the First Session, Fiftieth Congress, June 14, 1888:

“Resolved by the Senate (the House of Representatives concurring) that the President be, and is hereby, requested to invite from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration and be peaceably adjusted by such means (resolution not reached on calendar during session, but reintroduced and passed, Senate, February 14, 1890. Passed, House, April 3, 1890).”

This resolution was presented to the British Parliament, which adopted a resolution approving the action of the Congress of the United States, and expressing that Her Majesty’s government would lend

their ready coöperation to the Government of the United States for the accomplishment of the object in view (Resolution of the House of Commons, July 16, 1893, For. Rel., 1893, 346,352).

Here we find an expression of the spirit which resulted in the first international Hague Conference of 1899, the second Hague Conference of 1907; eighty treaties for obligatory arbitration between the great nations of the world, our own country being a party to twenty-three of them.

It was my privilege to introduce to President Cleveland in 1897 a committee of members of Parliament of Great Britain, headed by Sir William Randal Cremer, in response to the action of Congress, proposing a treaty agreeing to settle all disputes that might arise between America and Great Britain by arbitration. Such a treaty was concluded between Lord Pauncefote and Secretary Olney in 1897. It failed of passage by the necessary two thirds majority of the Senate by only three votes.

There is reason to believe that the British Government has been desirous of having that treaty ratified by our Government or ready to agree to another of similar character, so that President Taft's policy seems within easy reach of success. If the English-speaking race adopts such a treaty we shall not have to wait long for other nations to join, and it will be noticed that the resolution of Congress in 1890 embraces "any

government with which the United States has or may have diplomatic relations," thus all nations seem still open to the invitation he is requested to give, there being no limitations as to time.

If the independence and rights of nations to their respective internal policies were first formally recognized in such treaties, no disputes concerning these elements of sovereignty could arise.

The trustees have power to sell, invest, or reinvest all funds, either in the United States or in other countries subject as respects investments in the United States to no more restriction than is imposed upon savings banks or insurance companies in the State of New York.

In order to give effect to this gift, it will be suitable that the trustees herein named shall form a corporation with lawful powers appropriate to the accomplishment of the purposes herein expressed and authorize the conveyance of the fund to such a corporation.

No personal liability will attach to trustees for their action or nonaction as trustees. They have power to fill vacancies or to add to their number, and to employ all officials and to fix their compensation. Trustees shall be reimbursed all expenses incurred in connection with their duties as trustees, including traveling expenses, attending meetings, including expenses of wife or daughter to each annual meeting. The President shall be granted such honoraria as the trustees

think proper, and as he can be prevailed upon to accept.

Lines of future action cannot be wisely laid down. Many have to be tried, and having full confidence in my trustees, I leave to them the widest discretion as to the measures and policy they shall from time to time adopt, only promising that the one end they shall keep unceasingly in view, until it is attained, is the speedy abolition of international war between so-called civilized nations.

When civilized nations enter into such treaties as named or war is discarded as disgraceful to civilized men, as personal war (duelling) and man selling and buying (slavery) have been discarded within the wide boundaries of our English-speaking race, the trustees will please then consider what is the next most degrading remaining evil or evils whose banishment—or what new elevating element or elements if introduced or fostered, or both combined—would most advance the progress, elevation, and happiness of man, and so on from century to century without end, my trustees of each age shall determine how they can best aid man in the upward march to higher and higher stages of developments unceasingly, for now we know that as a law of his being man was created with the desire and capacity for improvement to which, perchance, there may be no limit short of perfection even here in this life upon earth.

Let my trustees, therefore, ask themselves from time to time, from age to age, how they can best help man in his glorious ascent onward and upward and to this end devote this fund.

Thanking you for your cordial acceptance of the trust and your hearty approval of its object, I am, very gratefully yours,

ANDREW CARNEGIE.

December 14, 1910.

RESOLUTIONS OF ACCEPTANCE

PROPOSED BY JOSEPH H. CHOATE AND ADOPTED BY
THE TRUSTEES OF THE FUND, DECEMBER 14, 1910

Resolved, That the trust fund for the promotion of peace, specified in the instruments subscribed to and delivered this day by Mr. Andrew Carnegie, be and is hereby accepted for the purposes prescribed by the donor.

Resolved, That in undertaking to hold and use, in trust, this munificent gift for the benefit of mankind, the Trustees are moved by a deep sense of the sincere and noble spirit of humanity which inspires the donor of the fund. They feel that all thoughtful men and women should be grateful to him and should be glad to aid, so far as lies within their power, toward the accomplishment of the much to be desired end upon which he has fixed his hope and to which he wishes to contribute. They are not unmindful of the delicacy and difficulty involved in dealing with so great a sum for such a purpose, wisely and not mischievously, and in ways which shall be practical and effective. They accept the trust in the belief that, although doubtless many mistakes may be made, great and permanent good can be accomplished.

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Mr. Root has been chosen temporary chairman of the trustees and Mr. Scott temporary secretary. A committee of seven has been designated to consider and report a plan of permanent organization and a program of work.

PUBLICATIONS OF THE AMERICAN ASSOCIATION FOR INTERNATIONAL CONCILIATION

1. Program of the Association, Baron d'Estournelles de Constant. April, 1907.
2. Results of the National Arbitration and Peace Congress, by Andrew Carnegie. April, 1907.
3. A League of Peace, by Andrew Carnegie. November, 1907.
4. The results of the Second Hague Conference, by Baron d'Estournelles de Constant and Hon. David Jayne Hill. December, 1907.
5. The Work of the Second Hague Conference, by James Brown Scott. January, 1908.
6. Possibilities of Intellectual Co-operation Between North and South America, by L. S. Rowe. April, 1908.
7. America and Japan, by George Trumbull Ladd. June, 1908.
8. The Sanction of International Law, by Elihu Root. July, 1908.
9. The United States and France, by Barrett Wendell. August, 1908.
10. The Approach of the Two Americas, by Joaquim Nabuco. September, 1908.
11. The United States and Canada, by J. S. Willison. October, 1908.
12. The Policy of the United States and Japan in the Far East. November, 1908.
13. European Sobriety in the Presence of the Balkan Crisis, by Charles Austin Beard. December, 1908.
14. The Logic of International Co-operation, by F. W. Hirst. January, 1909.
15. American Ignorance of Oriental Languages, by J. H. DeForest. February, 1909.
16. America and the New Diplomacy, by James Brown Scott. March, 1909.
17. The Delusion of Militarism, by Charles E. Jefferson. April, 1909.
18. The Causes of War, by Elihu Root. May, 1909.
19. The United States and China, by Wei-ching Yen. June, 1909.
20. Opening Address at the Lake Mohonk Conference on International Arbitration, by Nicholas Murray Butler. July, 1909.
21. Journalism and International Affairs, by Edward Cary. August, 1909.
22. Influence of Commerce in the Promotion of International Peace, by John Ball Osborne. September, 1909.
23. The United States and Spain, by Martin Hume. October, 1909.
24. The American Public School as a Factor in International Conciliation, by Myra Kelly. November, 1909.

25. Cecil Rhodes and His Scholars as Factors in International Conciliation, by F. J. Wylie. December, 1909.

26. The East and the West, by Seth Low. January, 1910.

27. The Moral Equivalent of War, by William James. February, 1910.

28. International Unity, by Philander C. Knox. March, 1910.

29. The United States and Australia, by Percival R. Cole. March, 1910.

30. The United States and Germany, by Karl Von Lewinski. April, 1910.

31. The United States and Mexico, by James Douglas. May, 1910.

32. The International Duty of the United States and Great Britain, by Edwin D. Mead. June, 1910.

33. Opening Address at the Lake Mohonk Conference on International Arbitration, by Nicholas Murray Butler. June, 1910.

34. An Economic View of War and Arbitration, by John B. Clark, LL.D. July, 1910.

35. Peace *Versus* War: The President's Solution, by Andrew Carnegie. August, 1910.

36. Conciliation through Commerce and Industry in South America, by Charles M. Pepper. September, 1910.

37. International Conciliation in the Far East: A Collection of Papers Upon Various Topics, by Rt. Rev. L. H. Roots, Rev. Dr. J. H. DeForest, Prof. E. D. Burton, Rev. Dr. Gilbert Reid and Hon. John W. Foster. October, 1910.

38. The Capture and Destruction of Commerce at Sea, and Taxation and Armaments, by F. W. Hirst. November, 1910.

39. Selections from Speeches Delivered in Congress on the Naval Appropriation Bills of 1906, 1908, 1909 and 1910, by Hon. Theodore E. Burton. December, 1910.

40. School Books and International Prejudices, by Albert Bushnell Hart. January, 1911.

Mr. Carnegie's letter to the Trustees of the Carnegie Endowment for the Advancement of Peace and resolutions adopted by the Trustees. January, 1911.

A small edition of a monthly bibliography of articles having to do with international matters is also published and distributed to libraries, magazines and newspapers.

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y.

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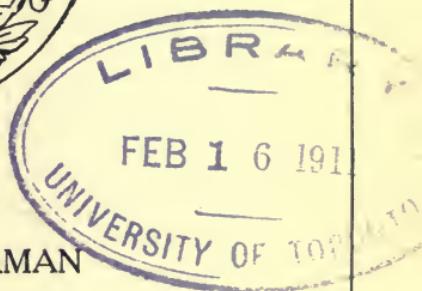
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PEACE AND THE PROFESSOR



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The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 24.

PEACE AND THE PROFESSOR

I

The Professor sat in his study, meditating on War.

I hasten to reassure you. The Professor was a thoroughly pacific character. It was war in the past, not war on the future, which concerned the meditations of his heart. Of the general desirability of beating spears into pruning-hooks and swords into plowshares, and of converting cruisers and big guns into canal-boats and steel rails, he entertained not the least doubt, and looked forward with hope, if not with expectation, to a time when there should not be war any more and the high cost of living should be humbled to the dust.

You could tell from the study that the Professor was not a man of war. Landscapes and Roman aqueducts and Greek temples adorned the walls, and on the shelf was a pile of International Conciliation essays. The boots that hung above the desk were not the army boots of a Revolutionary great-grandfather, but the copper-toed survivals of his own fast-growing four-year-old childhood. The banners were college pennants, the instrument only a harmless guitar, and the little cast a Victory so mutilated as to be entirely innocent of martial suggestion. And in the Professor himself you saw no sign of the warworn veteran; the only scars he bore were the invisible scars of the usual operation and of the loves of youth long past.

No, the Professor was a lover of peace. He loved it so well that he spent no inconsiderable part of his salary for it—he paid without resistance, and almost without question, all the household bills; accepted as

just, equitable, and inevitable the estimates of carpenter, plumber, and drayman; threw up his hands in surrender at the approach of the emissaries of charitable, religious, and educational organizations, and all the multitudinous other agencies for public and private improvement. He paid for peace when it cost even more--by not invoking the curfew and other ordinances upon the profanely and obscenely vociferous evening revels of democratic youth in the park playground that fronted his residence; by silent and neighborly submission to dust and stench and noises; by consuming the smoke of his own indignation instead of spreading its blackness abroad in the usual manner through the Kickers' Kolumn—in all this being as inconsistently pacific as most of his countrymen, who by desire for peace let themselves be driven to endure ills far worse than war.

This no doubt convinces you that the Professor was not by nature inclined to belligerence; but it is not telling you how he came to be meditating on war. Let me make plain the way his innocent thoughts had come to form such dangerous associations—for this was not the only time they had exposed themselves to the corrupting influences of evil communication.

The Professor's business was not different from that of most other professors in the humanities; he was always dealing with the past—the lifeless, forgotten, impractical past, as wise people love to call it. Its records in literature, and history, and sculpture, and painting, and architecture, and the ten thousand petty remains of everyday life in museum and excavation—to interpret these was his main concern,

The Professor's justification of himself for this eternal dwelling on the dead past was also not unlike that of most other professors of the humanities; familiarity with the past was a desirable part of the foundation on which to erect the edifice of action in the present. As an individual, you were a more intelligent liver of life for knowing the life of ages gone; as the member of a commonwealth, you had more enlightened ideas as to what society ought to avoid, and what she was to cleave to. Considered in this light, the past was not dead and useless—not more than the food that had nourished your body in childhood, or the unseen foundations of the rising edifice. Until you were prepared to take the position that individual conduct was not in any measure properly and profitably based on past personal experience, it was hardly reasonable to hold that humanity as a whole, or the separate nations that composed it, could with safety remain ignorant of the past, or disregard its lessons. Let the statesman consult the professor of history before tinkering with the tariff.

Of course we who are free from professional trammels know better than this. It's all nonsense, this idea that the past has anything to do with the present. But so long as we have an educational scheme, so long we shall have books and professors; and so long as there are professors and books, there will be *some* professors who will read; and so long as professors read, we shall never be safeguarded against the professor who reads history, nor be able to feel assured that he will not get ideas from it. It seems all too clear that, unless we proceed with the wrecking of our educational system with much greater celerity

than heretofore, we shall for some time be annoyed by the class of people who insist that up-to-dateness is not always the synonym for excellence, that wisdom was not born with gasoline engines and will not die with them, and that the only circumstance that kept Dædalus and Son from anticipating Wright Brothers three thousand years ago was a slight defect in solar calculation, and that, even as it is, they have the record for distance. Of course we shall be able to keep these visionaries in check, but they will always have a tendency to disturb and unsettle us.

I am here, however, neither to bury the Professor nor to praise him, but to tell you of his meditations on war. Let us take him as he is. He may at least amuse us.

2

Well, then, the Professor—like, indeed, most readers of history; after all, it is the common experience I mean to record—had often been impelled to reflect upon the way in which war seemed inextricably inwoven into all the manifestations of civilization. That part of the formal record of the past which was in books and was called history was largely—almost wholly—concerned with the elevation and abasement of kings and nations, with the march of armies and the alarum of battle. Periods of peace were dismissed with paragraphs, or omitted with mere mention; wars were detailed with painstaking care. Even the accounts of peaceful intervals were filled with enumeration of the results of war, or with description of measures for defence and aggression to come.

To complain that history *should* have recorded other enterprises of pith and moment might be just, but didn't alter the fact. Clio *had* chosen otherwise. Her sentence had been for open war; and, what was more, in proportion as she dwelt on war was the interest of her audience—lecturer and student, publisher and public.

But formal history is only one part of the record of the past. The Professor's thoughts passed to other varieties of literature, and found them, too, hardly less given over to the narrative of war. The great epics were concerned with exploits in the field, with the sacking of cities and the adventures of home-returning heroes:

Wrath of Achilleus, son of Peleus, sing.
O heavenly Muse, which in its fatal sway
Thousands of griefs did on the Achaians bring . . .

Sing me, O Muse, that hero wandering,
Who of men's minds did much experience reap,
And knew the citied realms of many a king,
Even from the hour he smote the Trojan keep.

Not even Christian epic was free from it. The Song of Roland, Ariosto's internainable and glorious kaleidoscope of chivalric adventure, and Tasso's bright story of combat about the Sacred City—were epics of war:

The sacred armies, and the godly knight,
That the great sepulchre of Christ did free,
I sing.

Yes, even the Puritan poet soared farthest above the

Aonian mount when under the inspiration of imagined battle on the plains of heaven:

But see! the angry victor hath recalled
His ministers of vengeance and pursuit
Back to the gates of heaven: the sulphurous hail
Shot after us in storm, o'erblown hath laid
The fiery surge that from the precipice
Of heaven received us falling, and the thunder,
Winged with red lightning and impetuous rage,
Perhaps hath spent his shafts, and ceases now
To bellow through the vast and boundless deep.

And there was the story of the Holy Grail, and the Red-cross Knight. Dante alone, midway in the path of life in the obscure wood, sang not of arms and heroes; and yet the echoes of war sounded even from the depths of Purgatory and the citadels of Paradise.

It was the same with drama. Tragedy with sceptered pall came sweeping by,

Presenting Thebes or Pelops' line,
Or the tale of Troy divine,

or the Wars of the Roses, or the exploits of Moor and Christian under old Andalusian walls, or the campaigns of Venetians, or of Catholic and Protestant in wars of Thirty Years. Everywhere the theme of the drama was—

Moving accidents by flood and field,
And hair-breadth 'scapes i' the imminent deadly breach.

Not even the lyric and the idyll, poetry of peace and the spirit, were exceptions; they, too, were full of the imagery of conflict, permeated with lurid visions of blood and battle-smoke, resonant with war-

cries and the clash of weapons. Two Voices, communing on the Sabbath morn, could not dispense with the vocabulary of war:

In some good cause, not in mine own,
To perish, wept for, honored, known,
And like a warrior overthrown;

Whose eyes are dim with glorious tears,
When, soiled with noble dust, he hears
His country's war-song thrill his ears;

Then, dying of a mortal stroke,
What time the foeman's line is broke,
And all the war is rolled in smoke.

The hymns used in the service of the Prince of Peace, even the very sacred page, were full of the sound and color and thrill of war; the Christian soldier was exhorted to march onward as to war, to hold the fort, to put on the whole armor of God, to fight the good fight.

It was not greatly different with other forms of art. The great sculptural friezes of Greek temples were alive with Centaur and Lapith in the death grapple, with Greek and Amazon, Persian and Hellene, God and Giant, with trooping cavalry and chariots of war. The Roman covered column and arch with the triumphal procession, the hard campaign on the Danubian frontier, the taking of cities in the Far East. Knights in armor stood forth on cathedral fronts. The modern Dane depicted the triumph of Alexander, the American the march of regiments and the career of mounted generals, the German his mail-clad ancestors and heroes of today.

Painting, too, was no exception; nor the minor arts

more than the major. Through the whole web of the human record ran the bloodred thread of war. On every hand stood forth evidences of the high seat it occupied in the imaginations of men.

3

Yes, and further still; there was even a more intimate relation between war and human record than the mere permeation of it with the matter of war, or the impregnation of it with the spirit of war. War not only furnished the theme for the record, but was the inspiration that helped make the record possible. In other words, art was what gave permanence to record; and war seemed to be intimately connected with the inspiration of art. History seemed to say that the great periods of literature and the other arts were commonly the periods following on the struggle of nations; the Golden Age of Greek art after the achievements of Marathon, Salamis, and Thermopylæ, and the final assurance of Hellenic triumph over barbarism; the Augustan Age, following the establishment of peaceful empire after centuries of bloody campaign; the outburst of English literature after the scattering of the Invincible Armada; the flowering of Spanish art after the fall of the Moor, of the art of the Netherlands after the rise of the Dutch Republic, of Teutonic art after Sedan and the nationalization of Germany.

Could it be accident that in every case it was in the period succeeding the stress of martial conflict that the finer life of civilization was quickened? Out of the blood of war, seemingly, sprang the flower of ideal-

ism. Success in the test of war begot confidence, well-being, enthusiasm, exaltation; in the longer or shorter period that intervened between achievement in war and the degeneration of assurance and thankfulness into carelessness and insolence, the hearts of the victorious people expanded in gratitude and generosity; the memory of dangers escaped and hardships endured and deeds bravely performed bred high qualities; and those who were possessed of vision and the poet's dream felt the inspiration of the time and gave beautiful and lasting expression to the deep experiences of themselves and their people—and great art came into being. It was only a natural thing—the repetition of the cave-man's experience, according to a contemporary artist: "That cave-dweller who sketched with a flint on a piece of bone, in such a masterly manner, those reindeer and that hairy arctic elephant, did it when safely entrenched in his cave after a successful hunt, in a leisure moment and on a full stomach."

4

But the Professor's thought halted. Granted that war *did* stimulate art. What of it? Were a few jingling verses and a water color or two worth the bloody price?

It did not take long for the Professor to find answer to his own question. No! If art meant only *jeux d'esprit* and drawing-room decoration, a thousand times, No! But then, he was not thinking of art in those small terms; he was giving it the largest possible meaning. Art was only a sign—the sign of a people's spiritual condition. Art was the translation

of deep experience into visible terms—into Cologne Cathedrals and Parthenon sculptures, Renaissance paintings, stirring epic and drama, impressive liturgy and imposing ceremonial, powerful oration, inspiring sermon, and swelling anthem. It meant eloquent appeal, idealism, emotion. It meant progress; for progress was only the result of idealism crystallized into action by emotional appeal.

Nor was this all. The visible product, art, a sort of record sprung from the best and deepest in life, helped inspire in turn in the hearts of men the same high emotion which had called it forth. In a word, art embodied life and conserved life, and made life more abundant.

Surely, if war contributed thus to fuller and finer life, it should not be too hastily condemned. It looked for the moment as if Mars was to carry the day on the battlefield of the Professor's mind.

But the Professor's thoughts suffered another obstruction. He had been thinking of the ideal aspect of war; waving of banners and strains of music and shouts of victory and the flush of enthusiasm had filled the foreground of his thought, and crowded into obscurity the bloodstained tatters, the groans of men in agony, the cries of the bereaved, and the pallor of death. He had forgotten for the moment the blood and bestiality of the field, the languishing in hospital and prison, the hardening of hearts, and the emptying of homes. And he had forgotten that there were two sides to conflict and that one had to lose. What the victor gained, the vanquished lost. It was not *mere* struggle that begot the uplift of spirit that followed upon war; it had also to be *successful* war. It was

all well enough for the cave-man; but how about the elephant? There was glory, but also shame and suffering. Did it balance?

For this question, too, the Professor found answer—almost against his will. The march of civilization was the march of victors, not of vanquished. Progress was measured by what survived, not by what was lost—by men, not by elephants and reindeer; by Greeks, not by barbarians; by American citizens, not by Indians.

Perhaps there *was* injustice in the process—many thought there *was*; and again, perhaps there *was* much less injustice than the world usually thought. Not all victors were unjust. There were persons who even held that “no victory was possible save as the resultant of a totality of virtues, and no defeat for which some vice or weakness was not responsible”; though that was at best a hard saying. And again, even if the victors *were* unjust, perhaps the injustice was only one phase—and a minor one—in a great movement which resulted in the larger justice. Perhaps it *did* balance, after all. Perhaps the bounding ahead of the victor resulted in so much of impetus to the race as a whole that it more than compensated for the temporary setback of the weaker of the combatants.

The Professor thus found himself, a man of peace, reënforcing against his will the argument of the men of war. They held that war was a necessary part of civilization: without it men would grow weak and flabby in body and spirit, and nations lose cohesiveness and identity; his own argument impelled him toward the conclusion that without war men would

lack the full impulse of the finer sensibilities which were more necessary to progress than strength itself.

5

The Professor resisted the leadings of his thought. Like most people, he wasn't going to believe what he didn't enjoy believing—at least, if he could help it. Perhaps this interpretation of history was wrong in spite of the fact that so many thought it right. Perhaps, even if it were right, there was too much value set upon the qualities bred by war. Perhaps civilization could dispense with them, and perhaps even the cohesion of nationalities was not necessary; though this was hard to believe.

At any rate, whatever view you entertained as to the desirability of war, the fact of its presence through all history was not to be disputed. This might not prove it desirable; did it prove it necessary? The Professor was minded to look into the causes of war. Was there anything in the constitution of human nature that made war inevitable? Did men *have* to fight? If war was inherent, he would be relieved of the burden of determining its precise effect. With some eagerness, and yet with some misgiving, he reached for pencil and paper. He agreed with his psychological faculty friend, who "had yet to learn of any wisdom or folly, virtue or foible, habit, usage, prejudice, or predilection, that was not ascribed by somebody to human nature"; and he was afraid that war, too, would fly to the same refuge.

But he faced the issue with professorial boldness; he was one of the "fearless searchers after truth" that you read about. Just why a professor should be

credited with courage because of a willingness to come to conclusions that nobody pays any particular attention to anyway, is not clear; but never mind that.

First among causes of war, of course he set down selfishness. Nations coveted the possession of other nations—their territory, the oxen and the asses and the houses of their neighbors, if not their wives. You might dignify this by calling it the economic cause, but it was at best a swinish cause, and the least worthy of all. It not only provoked the calamity of actual war, but brought on the wastefulness and hardships of peace. The possession of great power—more battleships, greater armaments, heavier battalions—was as potent for the acquisition of prizes as the exercise of power in actual war. Modern peace was only a near relation of war; of different sex, so to speak, but of the same blood. The burdens it imposed were more exasperating, and nearly as heavy—heavier, in the long run. It spoke fair words, but insincerity hung upon them. Like the sordid philosopher who counselled the holding of friendly affection in leash—"so love as if you were one day to hate"—many professed friends of conciliation conducted themselves in peace as if they were some day going to war.

Secondly, there was the natural restlessness of the human spirit. The quietest of persons were not without their moments of desperation, when anything was welcome which broke the monotony of everyday plodding, or contributed the thrill of excitement and renewed interest—the same desperation which drove sober people into the social whirl, filled the amusement parks with thirsters after thrills, urged the jaded

wealthy on to the pleasures of dangerous sport, set the student body to plan nineteen-game intercollegiate schedules, and impelled professors to give new courses. What was it that drove men to racing with motorcars, to risking their lives in airships and balloons, climbing inaccessible mountains, exploring polar latitudes, shooting high falls and running roaring rapids, pursuing savage beasts in pestilential jungles, and leaving comfortable homes to subdue wildernesses? The same quality that lay at the root of these phenomena lay also at the root of war. Men and nations alike might welcome the excitement of struggle by reason of sheer ennui.

But this outcry of the spirit was not alone. There was also the outcry of the flesh, intimately allied with it. For men of health and vigor, there was keen delight in physical danger and combat. The craving for physical activity was one of the most pronounced qualities of human nature. The student went into heavy athletics, the schoolboy careered incessantly about the playground, plug-uglies broke each other's noses, and hobby-riders rode themselves into a frenzy—all for the sake of doing something, and doing it more skilfully, or harder, or faster, or more often, or on a closer margin, than anyone else. What ecstasy like that of the soldier charging through the rain of death?

Methinks I hear the drum's tumultuous sound
The victor's shouts and dying groans confound;
The dreadful burst of cannon rend the skies,
And all the thunder of the battle rise.

The poet might say Marlborough's soul was unmoved in the shock of charging hosts as he taught the doubt-

ful battle where to rage, but the Professor knew better. His own unwarlike soul was far from being unmoved at the very sound of the lines.

And again, there was the poetic aspect of warfare. There was the appeal of the spectacle of war. What spirit could resist the stirring challenge of multitudes of uniformed and marching men, of drums and music, of waving banners and nodding plumes, of heavy galloping squadrons, of beautiful beribboned ships and loudly booming guns? Who had not felt, even in time of peace, the surging of the warm blood of emotion at these sights and sounds? It was stirring even to read of them, as the Professor had just proved; of imperial ensigns

Which, full high advanced,
Shone like a meteor, streaming to the wind,
With gems and golden lustre rich emblazed,
Seraphic arms and trophies; all the while
Sonorous metal blowing martial sounds . . .
At which the universal host sent up
A shout that tore hell's concave, and beyond
Frighted the reign of Chaos and old Night.
All in a moment through the gloom were seen
Ten thousand banners rise into the air
With orient colors waving: with them rose
A forest huge of spears; and thronging helms
Appeared, and serried shields in thick array
Of depth immeasurable.

And this was nothing to the rousing of spirit when ranks on ranks of bronzed and dust-brown men marched by on the way to the theater of actual war.

And there was the appeal of the ideal. Somehow, it was difficult to get men to remember the ugly side of war. One roll of the drum, a single bugle-call,

one sight of marching regiments or smoking men-of-war, and the work of a year of sermons and speeches and essays was undone—the bloody horrors of war, and all its injustice, sank out of sight, and only visions of the glorious ideal remained. The material aspect of the campaign disappeared; the spiritual held the field of imagination. It was as if all the features of war were as good as its best features. In nothing was the confirmed idealism of mankind more apparent.

Still another cause the Professor set down. You might conceive national, as well as individual, personality. Just as individuals were impelled from within to project their personalities out and beyond the narrow limits of the mere body, and sometimes encountered other personalities projected by other individuals from the same impulse, and were driven to enter into conflict or prove recreant to the law of growth on which their being depended; so nations, in the expansion due to the natural growth of their powers, were obliged, by promptings they could not help, to brush aside the obstacles they met. Growth was the law of nature, and nature was full of cruelties and violence, inevitable and innocent. When elms grew too near together, they entered into war for the possession of space and sunlight, and the weaker suffered. Individuals, and nations, came into conflict through mere obedience to a power not themselves. Now then it was no more they that did it, but nature that dwelt in them.

the nature of things. So long as there were men, there would be the delight of struggle, and the emotionality that made men forget. So long as there were men and nations, there would also be personality, and pressure, and conflict. As for selfishness, perhaps the time would come—far, far distant, when the earth should be full of the knowledge of the Lord, as the waters cover the sea—when there should be no taking of advantage. Let selfishness pass as incidental, then. There was possible no such facile disposition of the other causes, however; human kind without emotionality, without swiftly coursing red blood, and without the outreaching of personality, was inconceivable.

Taking all things together, the lesson of history seemed to be reënforced by the lesson of human nature. The lower orders of nature had the same story to tell. The whole universe had been begotten in the warring of atoms clashing against each other with infinite activity. The whole race of living creatures, no sooner arisen to the coasts of light, plunged likewise into deadly conflict. Man against beast, beast against beast, man against man; and when strife of individual men was minimized by laws framed in the interest of the weaker, race fought against race through the forests primeval of barbarism down into the confines of history; and the conflict had been going on ever since.

Would it go on forever? The Professor shrank from believing it. After all, what his train of thought had proved inevitable in human life was not necessarily the war of the militarist. There were other kinds of war. In other words, it was struggle that was necessary and desirable, and struggle might take

other forms than war. The problem, then, was to do away with war, but to insure the seeming effect of war by the substitution of some other variety of struggle.

But was a substitute possible? What should it be? The struggle against nature, someone suggested—with disease and filth, with broad acres of soil that were ready, under the hands of agricultural battalions, to yield easy sustenance to now hungry nations. The struggle with detailed forms of evil in the civic body, said others. The struggle of commerce, suggested the modern, practical school—as if commerce could not be so sordid as to be worse than war. The struggle of ordinary every-day life, said still others—the “discipline and encouragement of the sterner virtues in the daily round of domestic, business and personal life as well as in the thousand and one acts of helpfulness and generosity and sacrifice by which the sweetest, as well as the strongest, characters in this world are made.”

None of these substitutes was perfectly convincing to the Professor. The last suggestion seemed the most reasonable, and he was sure it would work with professors and other people of easily cultivated virtue; but it seemed to take no account of the problem of national development. Nevertheless, he was ready to make trial of any of them—except commerce.

Having thus become disposed to accept a substitute for war, the Professor addressed himself next to the problem of getting war out of the way. Arbitration,

of course. But how make selfish, or angry, or enthusiastic people willing to accept arbitration? As a matter of fact, you couldn't make them willing; you could only force them. And how would that be possible?

How else than by national sentiment, or by the sentiment of the whole world? To rouse this sentiment was the problem. The Professor had two suggestions; or, rather, he had been attracted by two out of the many he had seen. In the first place, let nations ascertain the exact causes of the wars they were called on to fight and pay for. Let them avoid the silliness and shame of pouring out blood and money for the satisfaction of quarreling individuals or cliques. Let them look especially well to the commercial causes of war. Most wars were sprung of sordidness and selfishness, though they were made to parade in the white robes of righteousness. Dollars and cents and bales of goods were at the source of streams of suffering that overwhelmed whole nations.

The Professor was in accord with a Cassius of his own country, a great observer who looked quite through the deeds of men; "I am one of those who look for the simplest motives in explanation of action or of conduct. My impression is that somebody makes something by reason of the huge expenditures in preparation for war. Have you ever noticed that about the time that the appropriations for military purposes are under consideration in the Congress, in the House of Commons, in the Chamber of Deputies, or in the Reichstag, or just before such a time, hostilities are always on the point of breaking out in two or three parts of the world at once? . . . It might be worth while to make some measurement

of the sincerity and disinterestedness of the lively type of patriotism which accompanies these military and naval debates the world over. Is the propelling motive for them to be found in economics or in psychology? My strong impression is that while both of these admirable sciences are represented in the make-up of that propelling motive, economics is not always the less important of the two."

The Professor felt like adding to this suggestion. Let convenient arrangement be made for the parties most interested in war to do their own fighting. How much more economical, both in time and money, for a pair of kings or a couple of squads of steel or cotton brokers to meet on the border and settle in any reasonable way they chose the quarrel they had stirred up, while the rest of the nation went on earning its living like sensible people. But this was only a professorial suggestion. The Professor knew it would never be followed—especially if it went out under a professor's name.

In the second place, let men not only know for whom and for what they were fighting, but let them know in all fulness what fighting meant. Let poetry be separated from economics in the one case, and from the miseries of hell in the other case. Let men be told more of prisons and hospitals and horrible pain, and less of the glory of dying for their country—*i. e.*, coteries of rich gentlemen in dress suits. It wasn't enough to say that war was hell; the metaphor had never been vivid enough, and now the easy theology of the day was robbing it of all the potency it ever had had. Let them see in all its hideousness the grim-visaged front of war—not smoothed by the retouching

of the photographer, but with every ugly wrinkle showing in all its repulsiveness.

If these suggestions were followed, particularly the first, war was sure to be less frequent. To be rid of demonstrably selfish wars would mean all but universal and everlasting peace. To be rid of all war seemed too much to hope for. Perhaps it was not to be desired. The assumption of the peace enthusiast that war was the worst possible thing might be mistaken. Was war worse than dishonor? Was it worse than unbroken, monotonous sordidness? Was it worse than lethargy and stagnation? There were wars and wars. Might there not be righteous wars? Was it possible to arbitrate all differences? If anyone stole the Professor's purse, he took from him trash for whose return the arbitrator might provide; but if anyone filched from him his good name, the case was not so easily adjustable.

This was the extent of the Professor's contribution to the peace movement—except that he lived decently and in order, cultivated ambitions which did not lead to the ways of war, and invited the rest of the world to do the same. After all, he often thought, the character of nations depended upon the character of its individuals.

GRANT SHOWERMAN.

MADISON, WISCONSIN.

LIST OF PUBLICATIONS

1. Program of the Association, Baron d'Estournelles de Constant. April, 1907.
2. Results of the National Arbitration and Peace Congress, by Andrew Carnegie. April, 1907.
3. A League of Peace, by Andrew Carnegie. November, 1907.
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30. The United States and Germany, by Karl Von Lewinski. April, 1910.
31. The International Duty of the United States and Great Britain, by Edwin D. Mead. June, 1910.
32. Opening Address at the Lake Mohonk Conference on International Arbitration, by Nicholas Murray Butler. June, 1910.
33. An Economic View of War and Arbitration, by John B. Clark, LL.D. July, 1910.
34. Peace *Versus* War: The President's Solution, by Andrew Carnegie. August, 1910.
35. Conciliation through Commerce and Industry in South America, by Charles M. Pepper. September, 1910.
36. International Conciliation in the Far East: A Collection of Papers Upon Various Topics, by Rt. Rev. L. H. Roots, Rev. Dr. J. H. De Forest, Prof. E. D. Burton, Rev. Dr. Gilbert Reid and Hon. John W. Foster. October, 1910.
37. The Capture and Destruction of Commerce at Sea, and Taxation and Armaments, by F. W. Hirst. November, 1910.
38. Selections from Speeches Delivered in Congress on the Naval Appropriation Bills by Hon. Theodore E. Burton. December, 1910.
39. School Books and International Prejudices, by Albert Bushnell Hart. January, 1911.
40. Mr. Carnegie's Letter to the Trustees of the Carnegie Endowment for the Advancement of Peace, and Resolutions adopted by the Trustees. January, 1911.
41. Peace and the Professor, by Grant Showerman. February, 1911.

A small edition of a monthly bibliography of articles having to do with international matters is also published and distributed to libraries, magazines and newspapers.

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y.

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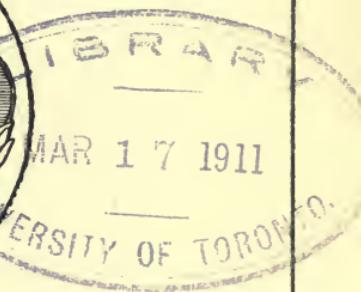
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INTERNATIONAL CONCILIATION

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WOMAN AND THE CAUSE OF PEACE



BY

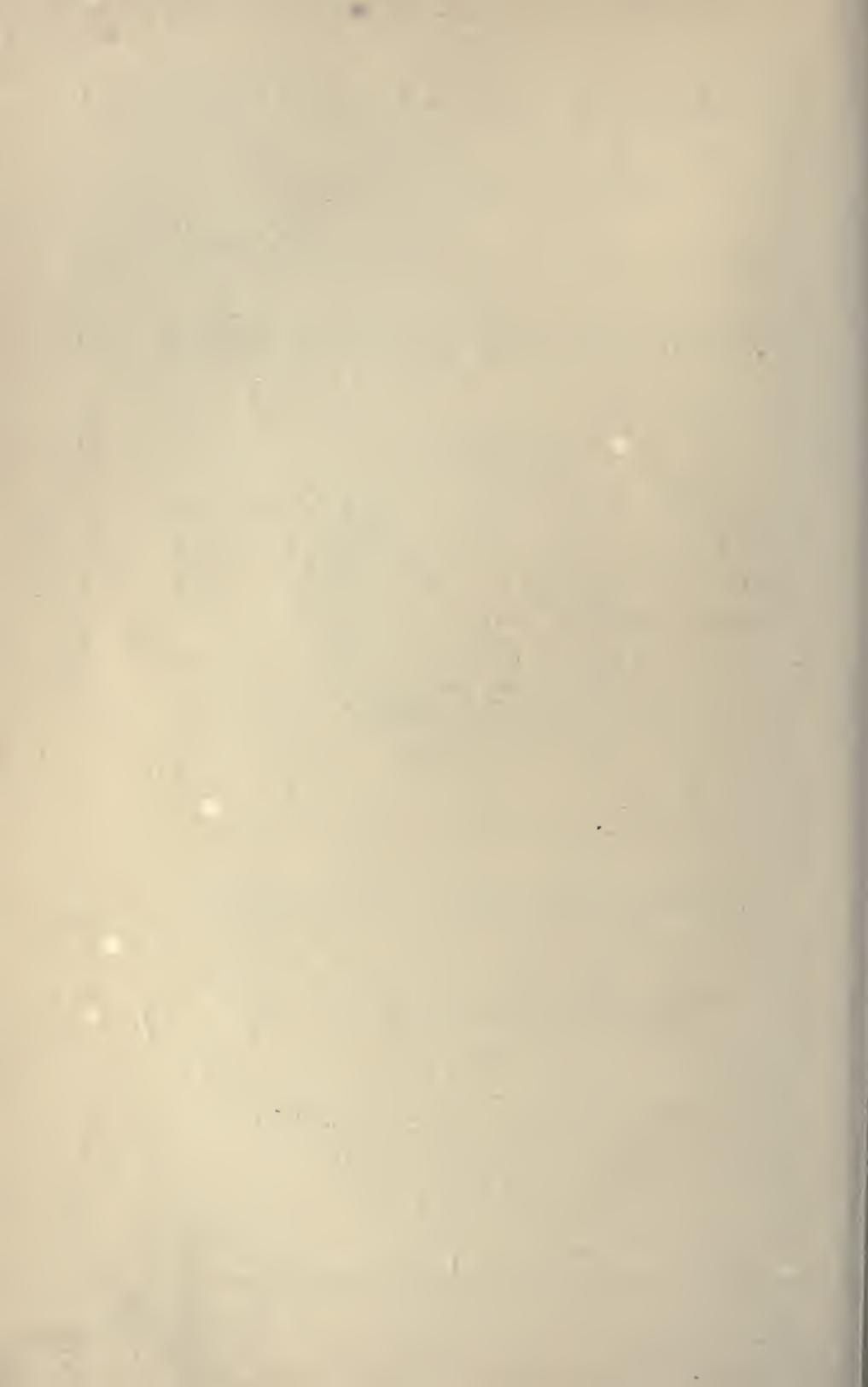
BARON D'ESTOURNELLES DE CONSTANT

MARCH, 1911, No. 40

American Association for International Conciliation

Sub-station 84 (501 West 116th Street)

New York City



BARON D'ESTOURNELLES DE CONSTANT

The Association is particularly glad to publish a translation of "Les Femmes et la Paix" at this time, because the author, Baron d'Estournelles de Constant, is to make an extended trip through the United States during the months of March, April and May, 1911, and it is hoped that many of the readers of this issue may have an opportunity to hear him and to meet him personally. A copy of his itinerary will be mailed upon application to the Secretary of the Association, Sub-station 84, New York, N. Y.

WOMAN AND THE CAUSE OF PEACE

Not a few people of a certain type are becoming greatly alarmed at the progress of the feminist movement; they see in it nothing but disorder; it is to them but one more shocking innovation; they speak of it with the same scorn that their fathers spoke forty years ago of social reforms, of modern music, of dirigible balloons. Let them talk; the scoffers will soon change their attitude; to defend the cause of woman is to serve the cause of Peace. It is an act of voluntary control, the stronger giving way before the weaker; man grows and becomes a civilized being in proportion as he becomes less brutal and domineering. There are not two types of kindness—the man who is cruel to animals has no pity for his child, for his wife, for his neighbor, for the people at large. It is all a single problem; there can be neither internal nor external security for a country where violence goes unchecked.

Violence *is* the common enemy. Humanity is now beginning to understand this in spite of the thousand things which seem to prove the contrary. The influence of Humanity is in every campaign against violence, against the abuse of power; it is on the side of the victims. Realizing that the future is at stake Humanity is on guard; everywhere steam and electricity have placed in communication the millions who were once in hopeless isolation, but who are now

sustaining each other and co-operating in plans for the future. In a word, the weak, realizing themselves to be in the majority, have become the strong and are organizing in their own defense. It is a great step in advance.

In man's own interest it is most important that woman should be free, because it is man who is most degraded by the present state of affairs. "*La servitude abaisse les âmes jusqu'à s'en faire aimer*," and this is doubly true of the master. Every tradition of tyranny is bound up in and falls back upon the domination of woman. In so far as man renounces these traditions of domination, woman breathes freely and the standard of society is raised. The emancipation of woman has followed the progress of the sun and of civilization itself. In the Far East the Chinaman, mutilating her feet, brought her to the level of a household chattel; in the Orient she lived veiled, hidden—more a prisoner than a bird in its cage. These barbarous customs, indeed, are dying out. I have been told that the Japanese never strikes a woman, although in European Turkey I have seen women in the caravans trudging like Soudanese slaves with heavy loads upon their backs. In France the real Frenchwoman, who is a being far different from the extraordinary creatures described by some of our novelists, appears to make it a point of honor to hide her good qualities. She is lost to view behind the shining personality of her husband, her father, her son. She asks for no reward beyond the privilege of working for them. Think twice before pitying her when she is ill treated. She would reply as she did in Molière's time: "*Et s'il me plaît à moi d'être battue!*"

The natural result of this incomparable devotion, ill-requited as it is, is a sort of family egoism; and the woman, by her very devotion to the well-being of the household, is in reality undermining its future to the detriment of her own sex and of the public good. Outside the family, to which she devotes herself—and where by the way, one result of her over-solicitude is that far too few children are brought into the world—it makes little difference to her how badly the State treats woman in general. She does not leave her home and she fails to see that in neglecting the liberty of others she gives up her own. Subordinated as she is by custom and law, she is satisfied if she is politely treated in society and respected at home.

In England woman demands more; she worries little about her welfare, but, in the middle class and in the aristocracy, at any rate, she receives more consideration.

In America and in the English colonies her triumph is complete. In a country peopled by immigration the position of woman rises rapidly as the result of the spirit of liberty and of the full exercise of her responsibility. She could not live at all if the general interest did not protect her energetically against the rigors of the new environment. Through her are kept alive the memories of the distant fatherland, of the forefathers, of the abandoned hearth; she is the hope of the new race; she is the Good Fairy; she represents comfort, to say nothing of charm. It is not astonishing that she should turn this reversal of position to her own profit and to the profit of her children. Within a few years, I have seen the accomplishment of great advances in America in the education

of women and of children, and as an inevitable consequence, in education toward Peace. Nothing, indeed, compares in importance with this fundamental work.

Woman now rules her husband and the child rules the household. This change is well illustrated by the charming story of an American grandfather at a family dinner. When asked if he liked the chicken's wing, he replied: "I have never tasted it. When I was a youngster it went to our parents; today it goes to our children." These children, spoiled though some of them may be, are free beings. At a memorable meeting in New York, when I spoke to an audience of children, they seemed to me to be the direct heirs of the generosity of their forefathers; the emancipation of the slave, perhaps, did more for the liberators than for those who were freed.

The same thing has happened in the Scandinavian countries, where the people have grown in spirit in proportion to the growth of their liberty. In Russia, and thence throughout the intellectual world, the works of Tolstoi, especially the "Resurrection," make the strongest of pleas in favor of woman, while the Russian spirit, as shown in its literature and its art, is essentially a cry for Justice and against War.

I dare not speak of Germany lest I should be unfair. I believe that conditions are far better than they appear to be from what the foreigner can see of German life. There, also, woman effaces herself too much, but it seems to me that the children, who are certainly far more numerous, are less spoiled and more respected than in France, that the lesson of the sound old adage, "Maxima debetur pueris reverentia," has

been better learned. But how hard it is to judge of Germany under its incubus of militarism! I often ask myself what Beethoven would have thought of our day and of the fact that the people whose almost superhuman gentleness he had symbolized, had thus become one great army. In Germany, as in France, the women are primarily at fault, being the first to seek a master, and consequently giving the preference to the brilliant soldier over the humble civilian. It is said, indeed, that the Government counts so strongly on this, that it influences the military budget. There should be a saving of millions yearly in the victualling of the army, if it be true, as the uncharitable say, that every cook has her own particular soldier whom she delights to feed.

There is indeed much to be done to raise the condition of woman in our old Europe. The Dutch proverb, "Every man should choose his own potato and his own wife," shows clearly enough her present lowly place.

The fact that woman is weak does not in itself explain why she is not properly treated. Man is not as bad as all that, and, in any case, woman has other weapons as powerful as force with which to oppose him. Since the fall of the first man and her alleged responsibility therefor, down to the governments of today, which have never ceased to fear her, it is for these very weapons—it is for her wiles that she pays, even more than for her physical weakness. Let us be frank; woman has always had against her the governmental tradition, and consequently discriminatory legislation. The Salic law is something else than the

law of the strongest. History makes it clear that it is a law of public safety. Why should this be?

Every autocratic government fears woman and her influence. The General, and as a result the Sovereign, sees in her an element of danger. This distrust spreads from high to low. "Cherchez la femme!" She is the obstacle which autocracy always seeks, and sometimes finds, in its path. How can the absolute power of a Pope, a Sultan or a Napoleon, which requires each man to be a limp chattel—absolutely without volition for himself or for his own—how, in a word, can Reasons of State be reconciled with the intangible resistance of woman, as she defends the spirit of family, of child, of home?

No good General on campaign has ever wished his soldiers to be laying up money and thus bearing witness to their desire for long life, and so the best soldier has too often been the most disreputable citizen. To say nothing of the language of the camp and the manners of the barracks, this explains the deliberate scorn with which military fanatics have always looked down upon woman. In the exaltation of mysticism or ambition the first step is invariably to thrust aside, as worthless, the woman, the child and the family. Under such a régime there are no jokes too brutal to be aimed at the head of a family or at family virtues, and thus, indirectly, at woman herself. No governmental tyranny, no policy of exploitation and conquest is conceivable in a country where woman is free and untrammelled, and hence the need of a policy of keeping her silently in the background, instead of giving her her opportunity. Let her be obedient and not meddle. This is her first duty. In the Orient, in

Italy, in Spain, the traditions of the Roman Empire and the Roman Church impose this duty on her. In France we have in addition the traditions of Louis XIV and Napoleon. In these days of the wet-nurse, the boarding school and the barracks, everything in our French education separates the son from his mother and from his family. Think of what used to become of a boy after seven years of obligatory military service!

Our literature, in its folly, bears witness that woman is the real obstacle to the spirit of conquest. Lamentations about the anti-military spirit in France are being dinned into our ears. Men seem really willing to regard this as a new product, one of the wretched fruits of the republican régime. This is not so. The talk about anti-militarism is louder here than elsewhere, as is that about all similar difficulties. Our régime of free discussion has its drawbacks as well as its advantages. There is as much anti-militarism—indeed there is more, in Germany, in England, in Russia. It has nothing to do with the form of government. To a greater or less degree it has always existed everywhere. Its existence does not lessen in any degree the certainty that every Frenchman and every French-woman would rise, as they did in the Revolution, to defend the soil and the liberties of the nation, just as every woman would gladly die in the defense of her child; violence calls out violence and revolt. There is no great need for elaborate phrases to affirm this nor for extraordinary insight to understand it, if one knows France. It is because this is so that the overwhelming majority of the people, reluctant to carry to others a war which they would repel at home, have

no desire for new imperial wars, or campaigns of conquest. The doctrine of republican France is to defend its own if necessary, but not to attack. This is the national sentiment, which our women fully share with our men. On this point their accord is definite and complete. Such accord is the natural state of things in a civilized country; formerly it was feared all the more on that account.

It is true that the common people could not be prevented from thinking of these matters as woman does, but they have had their minds diverted; and then they had no real voice about the matter. But woman, there was the source of danger! No one has ever stated the case more clearly than Corneille. Where can one find a woman speaking more dangerously than Sabina as she realizes the life and death struggle between the Horatii and the Curiacii, or words more violently anti-patriotic than those of Camilla! Sabina before the conflict exclaims:

“Je suis Romaine, hélas ! puisque Horace est Romain . . .
But her tears are for the vanquished and her hate
for the victors. And how does Camilla welcome her
victorious brother ?

“Rome, l’unique objet de mon ressentiment,
• • • • • • • • • • • • • • •
Rome, enfin, que je hais . . .
Puissent tous ses voisins ensemble conjurés
Saper ses fondements encor mal assurés !!
• • • • • • • • • • • •
Voir le dernier Romain à son dernier soupir.
Moi seule en être cause et mourir de plaisir !”

There are no more familiar lines in our literature. Camilla forgets everything—her parents, her childhood

home, because the fortunes of war are with her brother, and her lover is carried off. Hear how she cries out against the army, against the State, and remember that she paid with her life for her outbreak:

*“. . . Ainsi reçoive un châtiment soudain
Quiconque ose pleurer un ennemi romain !”*

Camilla was as much of a pacifist, of an anti-patriot, as it is possible to conceive, and she was born in the reign of Louis XIV. She is the child not merely of the genius of Corneille, but of the very heart of Humanity. As a daughter, a sister, a lover, a wife,—in a word, as a woman, it is her mission, throughout the ages, when ignorance or statecraft sets men one against another, to bring them together again. By her ceaseless effort, by her doubtful success, she shows that no Reasons of State can prevail against the laws of nature.

A woman marries a man from another land; some unforeseen diplomatic complication makes this man her enemy, or at any rate, the enemy of her country. Her own husband and her children take up arms against her own father and brother. They leave her present home, intent on burning the home in which she was born, to spread bitterness and ruin in payment for the happiness, for the life itself, which she has given them. In such a situation will she be asked today, as she has been asked for centuries, to stand at one side, unfeeling, resigned, and powerless? No; with all the conflicting forces of justice soon to be reunited in her—all the force of her love as a wife, a daughter, a sister, a mother, she will cry out in protest. And let no one say, “It is her own fault;

why did she marry a foreigner?" Has not many a sovereign set her the example, and, for the sake of a throne, given up fatherland and religion? Today Camilla lives elsewhere than in the theatre and in the memory. Her name is legion. Her enemies should be on their guard. It is particularly among women that the solidarity of which I spoke a moment ago can be felt and Camilla's outcry is its living expression, no matter what her country may be. Today Camilla's bitter words do not fall on the unlistening ear of the Court; they go straight to the heart of the people. They are recited by the children at school. Without our realizing it, they pass from house to house. They give pause, they enter into men's spirits, while the militarists of today think they are doing all that is necessary in silencing outbursts much less dangerous to their cause. No matter what her public attitude, every woman is now asking herself whether any Reason of State can be worth the sacrifice of what she holds most dear in the world. In other words, love, pity, the weakness of the many, all those reasons which reason herself understands not, are arrayed against the so-called Reasons of State.

The influence of woman today is spreading, as is that of the common people—as are the influences of music, art, science, which like that of woman, are unceasing, intangible and universal. Disregarding a few *précieuses ridicules*, dolls, caricatures,—these are inevitable and negligible,—this influence of woman is constantly working secretly against war, as Jeanne d'Arc years ago worked openly.

This, I repeat, is one of the reasons why the influence of woman has always been antagonized; why it is

antagonized today and will be for years to come, by every means, not only legislative and public, but by the most hypocritical and the very lowest, even by corruption.

It is not enough to dominate woman, to take advantage of her, to thrust her to the second place. The way to reduce her to absolute powerlessness and to take from her the right and even the desire to protest, is to bury her under flowers, to debase her. Of course, this corruption is encouraged by all those who profit by it, beginning with the rich men's sons who must have their fling. These must sow their wild oats, but we must not forget that some youth is having its fling at the cost of other youth. Thus there is developed a whole more or less unconscious system of corruption, working from above down, from those who ought to be furnishing a better example. There is actually a business of pornography, through which large corporations are enriching themselves, just as in every country the city, or the State itself, waxes rich from alcohol. We preach abstinence, and we denounce the poison, but we sell it.

Naturally it is the children of the poor and defenseless who are the victims, not those of the rich and protected. Young girls, hardly more than children, fall by millions into the net which is spread forth to catch them. At the doors of the kitchen and the workshop they are greeted by a special type of illustrated literature designed to emphasize their isolation and unhappiness, for the sole purpose of turning them from honest lives. And this is possible because of the indifference of respectable women, who sit at home, and of the public at large, who know nothing about it.

And still people are astonished when in revenge some of those wretched creatures, before being cast aside as spoiled food and swept into the stream of oblivion, have incited the "Apachés" against the "Bourgeois."

Up to the present the women have not been able—have not wished or have not known how—to organize themselves in their own defense. Their failure to do so has naturally encouraged man in his error, but that the time is soon coming when the march of events will bring the women together is certain. Far from being an anarchic element in our society, the influence of woman would prove to be its safety, as it is now the safety of the family.

In my own life I have several times started on the wrong track; I spent seven idle years in college, and other mistakes followed as the years went on. My education has been made and made over by my widowed mother, by my sisters, by my wife. One day I said this to some friends in America and they added, "Wait until it is completed by your daughters." It is woman who teaches us *manly* courage, the courage which smiles in misfortune and persists until death itself. It is woman who teaches us real control, not that which we impose on others, but that which we accept ourselves.

Let us be humane, it is the best service we can render our country. Let us be gentle with the weak. This should be our point of honor; it is the real patriotism and the most sensible, for it is the only one from which sooner or later our land is sure to reap the fruits. To do anything else is to be barbarous. The future of our country, whatever it may be, depends

upon our respect of the rights of others, the rights of the feeble as well as those of the strong.

Just so long as respect for women, respect for children and for the people at large is not in our hearts, just so long, in a word, as we lack the sense of national and personal justice, international justice will be but a dream broken by bloody awakenings.

Peace can come from but a single victory—that which we gain over ourselves.

D'ESTOURNELLES DE CONSTANT

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THE EXPANSION OF MILITARY EXPENDITURES

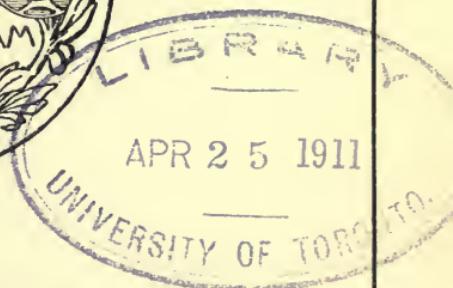


BY

ALVIN S. JOHNSON
Professor of Political Economy, University of Chicago

APRIL, 1911, No. 41

American Association for International Conciliation
Sub-station 84 (501 West 116th Street)
New York City



The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on pp. 10 and 11.

THE EXPANSION OF MILITARY EXPENDITURES

On preparation for war, or, to put it officially, for the preservation of peace, the eight great powers spent in 1908 \$1,320,000,000. Of these powers four, Russia, Germany, Great Britain and France, spend more than \$200,000,000 annually for this purpose, and the United States spends not much less. Every year the French pay \$5.21 per capita, the British \$4.46 and the Germans \$4.07, for the security against foreign invasion that military and naval establishments are supposed to afford. All of which indicates that peace, under modern conditions, is a luxury to be secured only at heavy cost. The eighteenth century was replete with wars, but in time of peace the shadow of war did not lie heavily, as now. Satisfactory figures of public expenditures for that century are difficult to obtain; for England, however, which we must remember was distinguished at that time for her readiness to spend money for the preservation of national glory, we have an entirely reliable account, prepared by a Parliamentary Commission and published in 1870.* The cost of maintaining the British army and navy in time of peace was as follows:

	Per Capita
1698-1700	£1,299,000.... 5 shillings
1715-1717	1,713,000
1736-1738	1,842,000
1753-1755	1,998,000.... 6 "
1773-1775	3,811,000
1790-1792	6,591,000.... 14 "

* Cited in Leroy Beaulieu, *Traité des Finances* II, 267-68.

The England of William and Mary, a great power, conscious of her destiny to command the seas, spent on her army and navy about the same amount of money that Switzerland, protected by treaties and the conflicting interests of the powers, spends on her army to-day. The England of 1775, facing the revolt of her American colonies and confronted by bitter enemies on the Continent, spent on her army and navy a quarter more than Belgium spends to-day on an army that might almost be said to exist for ceremonial purposes alone, since Belgium would be absolutely helpless in case of aggression by a great power.

In France the cost of maintaining the army and navy at the close of the war with England (1785) was about 100,000,000 francs—less than one-tenth of the present military and naval budgets. In the middle of the century the military and naval expenses appear to have been less than 60,000,000 francs. The war-like Frederick maintained the peace and honor of his realm—a small country, it is true, with between three and four million souls, but beleaguered by hereditary enemies—at an annual cost of less than 6,000,000 thalers (\$4,500,000); his peace-loving descendant of to-day, with less than twenty times the population to rule, spends fifty-seven times as much. Austria played a large rôle in middle eighteenth century history with peace expenditures of less than 25,000,000 gulden (\$10,000,000).

Possibly it is unfair to draw comparisons between the peace expenditures of the present time and those of a century or more ago. Before the Napoleonic wars, it may be said, military events moved in a fairly leisurely fashion. While war might be declared in

the fall, hostilities would not necessarily open before spring. The preparations for a war, therefore, could be postponed until their need became apparent. To-day hostilities are likely to begin the day after a declaration of war, and the outcome of the struggle may well be determined by the events of the first fortnight. The actual cost of such a war as the Franco-Prussian was in large measure already accounted for in the cost of antecedent military preparations. Such preparations may perhaps best be treated as war itself in its primary form. We may, then, reach juster conclusions if we compare present peace expenditures with the war expenditures of an earlier epoch.

For most of the countries of Europe, war expenditures in the eighteenth century can scarcely be estimated at all. The institution of plunder of non-combatants was still in vigor; a part of the pay of the soldier was his chance of booty. The sums extorted from captured cities and from neutral cities without adequate means of protection were enormous, as were also the indemnities of defeated states and the subsidies of allies. These sums were not regularly covered into public treasuries and voted in budgets; they were handled with a good deal of freedom by the princes and generals into whose hands they fell. It was even possible to make money by warfare. Thus Frederick, who received a treasure of 8,700,000 thalers upon his accession to the throne, left a treasure of between 60 and 70 million thalers, a large part of which had been earned by war.

The cost of the wars of France was borne in far larger measure by the budget, and hence admits of

approximate calculations. The military and naval expenses of the wars 1688 and 1702 amounted to about 3,865,000,000 francs. The War of the Austrian Succession (1739-48) cost France about 800,000,000 francs. The cost of the Seven Years' War (1756-63) was near 1,500,000,000 francs. The cost of the Napoleonic wars was, of course, enormous; for the years 1806-08, which may be treated as fairly representative, the military and naval budgets averaged 415,000,000 francs.

Our best basis for comparison, however, is the war expenditures of England. Since the time of William III England has conducted her wars, for the most part, on a cash basis; satisfactory accounts have been kept, and these have been summarized in the Parliamentary report mentioned above. The following table gives the military and naval expenditures for the periods of war from 1688 to the close of the Napoleonic war, less the estimated cost of the peace footing, or the net costs of the wars:

Years	Cost
1688-97	War in Ireland and France.....
1702-13	532,643,000
1718-21	War of the Spanish Succession.....
1739-48	50,684,000
1756-63	War with Spain.....
1776-85	4,547,000
1793-1815	War of the Austrian Succession.....
	43,655,000
	Seven Years' War.....
	82,623,000
	War with America, France and Spain
	97,599,000
	War with France.....
	831,446,000

The cost to England of the war with the French Republic and Napoleon was more than twice the cost of all the wars of England since the Revolution. The reputation for solidity that England gained at that time on account of her ability to pay war taxes and yet increase in wealth still lies at the basis of her credit with the world. Yet compared with modern military expenditures the burden of the French war

appears nothing extraordinary. In two years and a half England spent one-fourth as much in subjugating the Boers as she spent in twenty years of war with France. In the next fifteen years, even if the peace of Europe is not disturbed, Great Britain will spend on her army and navy more than she spent on these services in the period from 1793 to 1815. As for the budgets that served as a material basis for Napoleon's achievements, they were ordinarily less than two-fifths of the annual budgets of the French Republic to-day. Evidently the cost of making history has increased enormously in a hundred years.

We are accustomed to regard as extremely momentous the war of 1776-1783, which resulted in our independence and which involved England in a struggle with France and Spain that extended throughout both hemispheres. This war cost England a sum 67 per cent. in excess of a single year's budget of the present. The Seven Years' War, which drove France from the North American Continent and forced Spain to relinquish Florida, cost Great Britain 40 per cent. more than a year of present peace. The War of the Austrian Succession, involving eight years of fighting with France and Spain and the suppression of a formidable Jacobite insurrection at home, cost England three-fourths of a present budget. The War of the Spanish Succession, distinguished by events of the magnitude of Blenheim and Ramillies, cost about nine-tenths of a present year's military outlay.

Absolutely considered, modern peace is unquestionably vastly more expensive than the wars of an earlier period. True, the wars involved a large destruction of property and loss of life that never figured in the

expenditures. But our statistics for time of peace also fail to include the waste of time entailed by universal military service and the waste of ability in organizing so vast an enterprise as an army in peace.

It is true, of course, that the world to-day is incomparably richer than the world of Pitt or of Marlborough. The per capita burden of modern armaments would have been almost intolerable to the British of the eighteenth century; it would have crushed the taxpayers of France or Germany. It is possible—though not very probable—that the burden of military expenditures signified greater hardship to the average citizen of an eighteenth century state than it signifies to the citizen to-day. The question is one which we may leave open, as it does not bear directly upon the present purpose, which is briefly to indicate that military expenditures, conducted competitively, expand with the ability of the people to bear the burden of taxes. And this is no less true of an epoch of peace than of an epoch of war.

It is now over a decade since Dr. von Block called attention to the remarkable increase in military expenditures in modern states. We have the benefit of the statistics of another ten years; and these prove that the expansion of expenditures of this nature have suffered no check. The following table, adapted from Schwarz, *Die Finanzsysteme der Grossmächte*, gives a fairly accurate view of the situation. It indicates that military expenditures have increased *pari passu* with industrial progress.

MILITARY AND NAVAL EXPENDITURES

	1875	per capita	1890	per capita	1900	per capita	1908	per capita
United States...	\$ 62,600,000	1.62	\$ 70,268,000	1.11	\$ 194,028,000	2.54	\$ 193,000,000	2.24
Great Britain...	129,639,000	3.61	155,179,000	3.72	1589,804,000	12.00	223,473,000	4.46
German Empire ² 105,744,000	2.34	³ 128,471,000	2.79	191,385,000	3.38	256,624,000	4.07	
Austria.....	244,682,000	1.25	55,439,000	1.34	70,051,000	1.54	76,423,000	1.53
Russia.....	³ 112,367,000	1.25	138,333,000	1.15	216,352,000	1.60	267,920,000	1.77
France.....	125,135,000	3.46	151,040,000	3.97	207,174,000	5.32	204,787,000	5.21
Italy.....	³ 39,949,000	1.45	60,135,000	2.31	73,784,000	2.27	77,1309,000	2.30
Japan.....	⁶ 4,895,000	0.156	⁶ 8,922,500	0.223	26,517,000	0.59	52,510,000	1.06
Boer War	² 1880-81	³ 1891-92	⁴ 1873	⁴ 1874	⁵ 1892-93			

It will be observed that in the case of each of the eight great powers, military expenditures have increased since 1875, not merely in absolute amount, but relatively to the population. It is doubtful whether the average man's income has increased in any of these countries more than in proportion to the military expenditures per capita.

In the case of each of the eight great powers, military expenditures have increased since 1875, not merely in absolute amount, but relatively to the population. The per capita figures for Great Britain, Germany and France show an increase which, in all probability, exceeds the percentage increase in average incomes. If we exclude from our reckoning the large incomes that have developed so rapidly in every country in the last forty years, and which, except in Great Britain, pay a relatively small proportion of the taxation raised for military purposes, we should find that in all these countries, except the United States, military expenditures have increased more rapidly than average incomes. In Austria, France and Italy the last eight years represented in the table show practically stationary per capita expenditures—a situation due to tax exhaustion. In the developing states heavier charges are still possible, and their military expenses expand accordingly, by the law that war shall consume the fruits of progress.

ALVIN S. JOHNSON

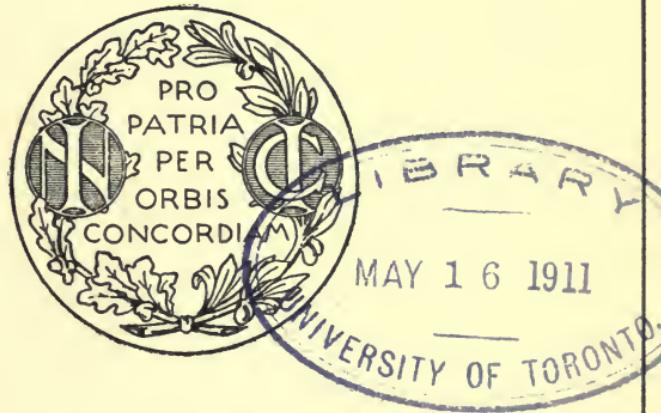
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25. Cecil Rhodes and His Scholars as Factors in International Conciliation by F. J. Wylie. December, 1909.
26. The East and the West, by Seth Low. January, 1910.
27. The Moral Equivalent of War, by William James. February, 1910.
28. International Unity, by Philander C. Knox. March, 1910.
The United States and Australia, by Percival R. Cole. March, 1910.
29. The United States and Germany, by Karl Von Lewinski. April, 1910.
30. The United States and Mexico, by James Douglas. May, 1910.

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THE FIRST UNIVERSAL RACES CONGRESS



BY

THE RT. HON. LORD WEARDALE

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American Association for International Conciliation

Sub-station 84 (501 West 116th Street)

New York City

MEMORANDUM

The Executive Committee of the American Association for International Conciliation desires to express its hearty thanks to those who have suggested topics for future issues of *International Conciliation*. As some two thousand suggestions have been received it is obviously impossible to use them all. Papers on some of the topics were already in preparation, however, and others will promptly be put in hand.

THE FIRST UNIVERSAL RACES CONGRESS

Until a few years ago the Peace Movement was essentially restricted to the West. All efforts towards bringing about lasting peace, through referring disputes to a Court of Arbitration or a Supreme International Court of Justice, had in view almost exclusively the members of the Caucasian race. Great efforts were made to remove misunderstandings between the peoples of this race and, without interfering with their individuality, to weld them together into a harmonious whole. These various and varied attempts at conciliation and reconciliation have resulted in the series of official Peace Conferences at The Hague, in the establishment of a Permanent Court of Arbitration, in many Treaties of Friendship, and in a general improvement in the attitude of official and public opinion towards what was but a short time ago regarded as the dream of visionaries.

Meanwhile, almost imperceptibly, a tremendous though silent revolution has been proceeding in the East. But yesterday Turkey, Persia, India, and especially China, seemed each to constitute a world of its own, having no vital relations to other countries, and apparently determined to be unaffected by what was going on around. It was for this reason, no doubt, that the whole of the East—always omitting Japan—was almost uniformly ignored when the problem of the abolition of war was discussed. These Eastern civilisations were asleep, and whilst asleep they were incapable of attacking the West or withstanding any demands made by the Western Powers. Nor were any of these people eager to go to war, for

which reason they had not, at least by comparison, to bear the crushing and intolerable burdens of the leading Western Powers.

The victory of Japan in the Russo-Japanese struggle gave the signal for the advance in the East. In all Eastern countries from that time onwards, determined efforts have been made to recast into Western forms their systems of politics, of law, of education, of science, and of commerce and of industry. Conquerors of indomitable strength of character have since the dawn of history endeavoured by every justifiable and unjustifiable means to subjugate the world and to see realised everywhere their own ideas and the civilisation which they represented—with signal ill success. It has been reserved for our day and generation to look upon the inspiring spectacle of a group of nations doing voluntarily what force would never have achieved, and thus we face now the prospect of the world having shortly only one civilisation in different stages of development. The brotherhood of man has consequently ceased to be an idle dream, and we may confidently look forward to a future when men and women the world over will not only be brothers and sisters, but feel towards one another as such.

And yet this beneficent change in the East, which promises more than almost any transformation that the world has before witnessed, threatens to make nugatory all the fine and careful calculations of Western pacifists. The East of yesterday could be readily ignored; the East of to-morrow may mean a shifting of the centre of gravity in world relations. The China of yesterday could not possibly affect the world situation; the China of to-morrow, with an

army and navy conceivably equal to the combined armies and navies of Europe in size and efficiency, may menace seriously the divided West. China is now like an awakening giant, for every careful observer knows that, added to its enormous population, it is in all-round capacity at least equal to its Eastern neighbours. Indeed, China is not so far removed from us of the West as some may think. Our modern civilisation is often said to begin with the printing press; our modern industry is inconceivable without coal; our over-sea traffic depends on the mariner's compass; our system of exchange is meaningless without coins; and it is difficult to think what our homes would be without glazed articles, to say nothing of tea and silk. Yet all these, and much else of importance, historians credibly inform us, constitute Chinese inventions and discoveries transferred to the West. A nation capable of such achievements and able to renew its youth and turn over a wholly new page after a corporate existence of over 3,000 years, may be expected not only to imitate the West, but to rival it.

The net result of the metamorphosis of the East is, therefore, that several nations, one of them by far the largest in the world, have joined the nations of the West, and that the possible area of international conflicts has been much enlarged and the peace problem considerably complicated. However, this is not all. The West still takes the view that the East is not its equal and, beyond this, that it may legitimately exploit the East. Even in this present crisis, where simple-minded folk would have thought that the West would do its utmost actively to assist the East and, at the very least, not to embarrass it, we find Turkey, Persia

and China being assailed from many sides, the momentary weakness of these *backward* nations forming the opportunity of the *advanced* nations. Such conduct between individuals is almost inconceivable among civilized beings, and it is melancholy to reflect that one Western power after another—with rare exceptions, such as the United States—is harassing those whom it is in honor bound to aid. Truly, a strange way of demonstrating the moral superiority of the West.

Should this unfriendly attitude towards Eastern peoples continue, there is no doubt as to the issue. At the present moment we are probably correct in saying that nothing is further from the East than the building up of vast military and naval establishments. It has ideals and generous ones. It wishes to adopt or adapt all that is best in the West, and this desire is so sincere, and the task is so monumental that no time or energy is left for anything else. Still, the conduct of the West towards the East is likely to create a new situation and force the Eastern peoples into a passive, and, later, into an aggressive militarism the serious consequences of which for the peace of the world it is impossible to foretell or exaggerate.

Anthropologists commonly divide the races of the world into three—Caucasian, Mongol, and Negro. Their differences of features and skin colour are, broadly speaking, too well known to need even indicating. With these differences are, however, supposed to go certain characteristics of intellect and character. In this connection each race thinks that it is definitely the superior of the other two races, and draws the conclusion that it need not apply the same high

standard to other races which it applies to itself. Hence a perennial source of misunderstandings, suspicions and unfriendly acts. Lasting peace under such conditions is as difficult, one might say as impossible, as lasting peace in a home where the house is divided against itself. Inimical relations are sure to develop into ill-will, and ill-will is more than likely to break out in open hostilities. Whilst, spiritually, a gulf was fixed between West and East, race arrogance caused a modicum of harm; now that West and East are meeting, the effects of race arrogance are too terrible to contemplate. Of one thing we may be sure, the harassing of the East, if continued, will give birth to an intense national self-consciousness among the Eastern peoples; it will nourish into strength race pride, and eventually race hatred and race war; and it will turn the mind of the East towards militarism and conquest. The yellow peril may yet come true in a more startling sense than even the yellow journals have contemplated. What Japan has taught us on a small scale, China may yet teach us on a much more extensive scale.

Here, then, is a new problem for those interested in the development of international good will, created by the new situation in the East. How is this situation to be met? We must not remain passive until the outlook becomes hopeless. Nor is there much hope that the preaching of Arbitration can affect a situation where growing distrust is one of the essential elements. Law implies legislation, and how is there to be effective legislation where opinions are radically and evenly divided? It almost seems as if the good ship of the Peace Movement, which appeared to be so

close to port, was in imminent danger of foundering on an uncharted rock.

It is the endeavor of those who are organizing the First Universal Races Congress, which will be held at the University of London on July 26-29, 1911, that the Congress should have a beneficial effect of no transitory importance upon the situation which the world faces to-day. The general relations between the peoples of the West and those of the East, between the so-called "white" and the so-called "colored" people, will be discussed in the light of modern knowledge and the modern conscience, with the view to encouraging between them a fuller understanding, more friendly feeling and a heartier coöperation. The Congress is pledged to no political party and to no political scheme of reforms. In the papers which are to be presented, and which are now in the hands of the organizers of the Congress, one writer after another emphasizes the effect of environment on intelligence and character, and supports the general conclusions that civilisations and national ideals are for all intents and purposes independent of the so-called physical racial characteristics. In this light, the social and historical factors are alone vitally important, and all the conclusions based on the assumption that the status of a race at any particular moment of history is to be wholly or largely explained by the physical characteristics of that race, turn out to be illusions. Indeed, the present transformation which the East is now passing through under our eyes, is conclusive against the contentions of those who speak of fixed racial characteristics where they should speak of unstable civilisation.

All persons who are interested in problems of international conciliation are urged to be present at the Congress, and even though their going should entail considerable sacrifice, those of us who are interested in the Congress feel that it will prove a wise investment of time, energy and money.

WEARDALE

NOTE.—Full information with regard to the composition of the Congress and the conditions of attendance and membership may be obtained from the General Secretary, Mr. G. SPILLER, 63 South Hill Park, Hempstead, London, England.

FIRST INTERNATIONAL RACES CONGRESS

PROGRAM

JULY 26, 1911—FIRST SESSION

SUBJECT: FUNDAMENTAL CONSIDERATIONS.

1. Significance of the Conditions of the Race, Tribe, Nation.
Brajendranath Seal, Behar, India.
2. Race from the Anthropological Point of View.
Prof. Felix v. Luschan, University of Berlin.
3. Race from the Sociological Point of View.
Prof. Alfred Fouillée, Paris.
4. The Problem of Race Equality.
G. Spiller, Secretary of the Congress.

SECOND SESSION

SUBJECT: THE CONDITIONS OF PROGRESS: GENERAL PROBLEMS.

1. National Autonomy.
John W. Robertson, M.P., London.
2. The Influence of Geographical Economic and Political Conditions.
Prof. P. S. Reinsch, University of Wisconsin, (Theodore Roosevelt Professor 1911-1912, University of Berlin).
3. Unifying and Separating Effect of Language.
Prof. D. S. Margoliouth, Oxford University.
- 3a. Unifying and Separating Effect of Religion.
Prof. T. W. Rhys Davids, University of Manchester.
4. Differences of Habits and Customs.
Prof. Dr. Giuseppi Sergi, University of Rome.
5. The Intellectual Position of Different Races.
Prof. Charles S. Myers, Cambridge University.
6. The Present Position of Women.
Miss Margaret Noble, Calcutta.
7. The Instability of Human Types.
Prof. Franz Boas, Columbia University.
8. Influence of Climate on Color.
Prof. Lionel W. Lyde, University College, London.

9. Mixed Marriages.

Dr. Joseph Deniker, Paris,

Prof. Earl E. Finch, Wilberforce University.

JULY 27, 1911—THIRD SESSION

SUBJECT: THE CONDITIONS OF PROGRESS: SPECIAL PROBLEMS.

1. The Trend Toward Parliamentary Organization.

Dr. Christian L. Lange, Secretary of the Interparliamentary Union.

2. China.

His Excellency Wu Ting-Fang, Shanghai.

3. Japan.

Prof. Tungo Takebe, University of Tokio.

4. Turkey.

His Excellency Said Bey, Constantinople.

5. Persia.

Prof. Hadji Mirza, Teheren.

5a. The Bahai Movement.

His Excellency Abdul Baha Abbas.

6. The East and West in India.

Hon. G. K. Gokhale, Poona.

7. Egypt.

Moh. Sourour Bey, Cairo.

8. Haiti.

Gen. Légitime, Haiti.

9. The Government of Colonies and Dependencies.

Sir Sydney Olivier, Governor of Jamaica.

10. The Rôle of Russia in the Meeting of the West and the East.

Prof. Dr. Alexander Yastchenko, University of Dorpat.

THIRD SESSION (a).

SUBJECT: FRIENDLY CONTACT BETWEEN CIVILIZATIONS.

1. Science and Art, Literature and the Press.

Prof. Ferdinand Tönnies, University of Kiel.

2. World Organization.

Senator H. Lafontaine, President, International Bureau of Peace.

2a. International Institute of Agriculture.

David Lubin, International Institute of Agriculture, Rome.

- 2b. The Batak Institute.
Prof. Dr. A. W. Nieuwenhuis, University of Leyden.
3. International Laws and Treaties, the Hague Conferences, and the Hague Court.
Prof. Walter Schücking, University of Marburg.

FOURTH SESSION.

SUBJECT: SPECIAL ECONOMIC PROBLEMS.

1. Investments and Loans.
Prof. A. de Navratil, University of Kolozsvar.
2. Wages and Emigration.
Fred. C. Croxton, Washington, D. C.
Prof. W. Jett Lauck, Washington, D. C.
3. The Opening of New Markets.
John A. Hobson, London.

JULY 28, 1911—FIFTH SESSION.

SUBJECT: THE MODERN CONSCIENCE.

1. The Fundamental Principle of an Inter-Racial Moral Sense and Practical Applications.
Prof. Felix Adler, Columbia University.
2. The Jewish Race,
Israel Zangwill, London.
3. The Treatment of Dependent Tribes and Peoples.
Sir Charles Bruce, Former Governor of Mauritius.
4. The Influence of Missions.
Rev. Prof. Alfred Caldecott, King's College, London.
5. Contract Labor.
Paper written by the late Rt. Hon. Sir Charles W. Dilke.
6. The Liquor and Opium Traffic.
Dr. J. H. Abendanon, The Hague.

SIXTH SESSION

SUBJECT: THE MODERN CONSCIENCE—*Continued.* THE NEGRO AND THE AMERICAN INDIAN

1. The Place of the Negro and the Negroid Races.
Sir Henry Johnston.
2. The South African Native.
J. Tengo Jabavu, King Williamstown.

3. The West African Native.
Rev. Moyola Abgebi, Lagos.
4. The Negro in America.
Dr. W. E. Burghardt DuBois, formerly Professor in the University of Atlanta.
Dr. Charles T. Walker, Georgia.
John E. Milholland, New York.
5. The American Indian.
Dr. Charles A. Eastman, Amherst, Massachusetts.
6. The Mixed Races of Brazil.
Dr. Joao Baptiste de Lacerda, Director of the National Museum, Rio de Janerio.

JULY 29, 1911—SEVENTH SESSION

SUBJECT: SUGGESTIONS FOR THE DEVELOPMENT OF OF INTER-RACIAL AMITY.

1. Respect due to other races from the white races.
Baron d'Estournelles de Constant, Senator of France,
Member of the Hague Court.
2. An International Tribunal.
Sir John Macdonell, London.
3. The Hague Conferences and the development of their sphere of action.
Leon Bourgeois, Paris.

EIGHTH SESSION

SUBJECT: SUGGESTIONS FOR THE DEVELOPMENT OF INTER-RACIAL AMITY—*Continued.*

1. The Press.
Alfred H. Fried, Vienna, Editor *Friedenswarte*.
2. An International Language.
Dr. L. L. Zamenhof, Varsovia, Author of Esperanto.
3. Moral Instruction in the Schools.
Prof. J. S. Mackenzie, University College, Cardiff.
- 3b. Cosmopolitan Clubs.
Louis P. Lochner, Madison, Wisconsin, Editor of the *Cosmopolitan Student*.
4. The Organization of a World-wide Association for the Encouragement of Inter-Racial Good Will.
Edwin D. Mead, Boston, Director of the International School of Peace.

LIST OF PUBLICATIONS

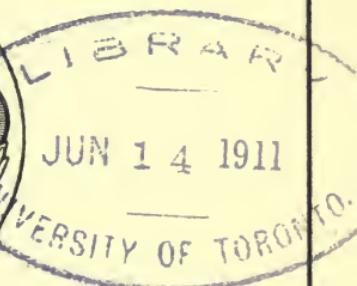
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26. The East and the West, by Seth Low. January, 1910.
27. The Moral Equivalent of War, by William James. February, 1910.
28. International Unity, by Philander C. Knox. March, 1910.
The United States and Australia, by Percival R. Cole. March, 1910.
29. The United States and Germany, by Karl Von Lewinski. April, 1910.
30. The United States and Mexico, by James Douglas. May, 1910.

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OPENING ADDRESS AT THE LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION

MAY 24, 1911



BY

NICHOLAS MURRAY BUTLER

President of Columbia University, President of the American
Association for International Conciliation

JUNE, 1911, No. 43

American Association for International Conciliation
Sub-station 84 (501 West 116th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 21.

OPENING ADDRESS
OF
NICHOLAS MURRAY BUTLER

As Presiding Officer of the Lake Mohonk Conference
on International Arbitration, May 24, 1911

The reassembling of this Conference for its seventeenth annual session takes place at a moment and under circumstances when our feelings of exhilaration and enthusiasm run high. Never before has the mind of the world been so occupied with the problems of substituting law for war, peace with righteousness for triumph after slaughter, the victories of right and reasonableness for those of might and brute force. It begins to look as if the stone of Sisyphus that has so often been rolled with toil and tribulation almost to the top of the hill, only to break loose and roll again to the bottom, is now in a fair way to be carried quite to the summit. The long years of patient argument and exhortation and of painstaking instruction of public opinion in this and other countries are bearing fruit in full measure. In response to imperative demands of public opinion, responsible governments and cabinet ministers are just now diligently busying themselves with plans which but a short time ago were derided as impractical and visionary. Even the genial cynic, whom like the poor we have always with us, is quiescent for the moment. But a new adversary has

been lured from his lurking-place. Arguments are now making, in publications not wholly given over to humorous writing, that war and the preparations for war must not be harshly and rudely interfered with by the establishment of international courts of justice, because these wars are part of the divine order of the universe. This is certainly important, if true. We used to be told that war was essential for the development of the highest moral qualities; we are now assured that it is part of a true religious faith as well. Surely, in this sublime contention lack of humor has done its worst! The establishment of peace through justice and of international good will through international friendship, must be making great strides when its adversaries are willing to appear in so ridiculous a guise.

A clever observer of his kind said not long ago that whenever some occupation was discovered making for the peace of the world that was as profitable as is the preparation for war, then the age of militarism would be over. This statement touches upon a very profound and far-reaching truth to which I ventured to allude in this place a year ago. This truth is one that must be seriously reckoned with. We have now reached a point where, unparalleled enthusiasm having been aroused for a rational and orderly development of civilization through the cooperation of the various nations of the earth, it remains to clinch that enthusiasm and to transform it into established policy by proving to all men that militarism does not pay and that peace is profitable. We must meet the money-changers at the doors of their own counting-houses. Just so long as the great mass of mankind believe that mili-

tary and naval rivalry between civilized nations creates and protects trade, develops and assures commerce, and gives prestige and power to peoples otherwise weak, just so long will the mass of mankind be unwilling to compel their governments to recede from militaristic policies, whatever may be their vocal professions as to peace and arbitration and as to good will and friendship between men of different tongues and of different blood.

The fact of the matter is that these widely held beliefs as to the relation between armaments and trade are wholly fallacious, and represent the survival of a state of opinion and a state of fact which have been superseded for at least a generation. These fallacious beliefs are now the point in the wall of opposition to the establishment of peace through justice, at which sharp and concentrated attack should be directed. Overthrow these and there will not be much opposition left which is not essentially evil in its intent.

THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Fortunately, by reason of the great benefaction of Mr. Carnegie, the world now has in its possession a powerful engine for the accomplishment of precisely this end. The establishment of the Carnegie Endowment for International Peace marks an epoch, in that it furnishes the organization and the means for a sustained and systematic effort to reach and to convince the public opinion of the world by scientific argument and exposition. Talk about the evils of war there has been in plenty; we are now ready and anxious for something more constructive.

The Trustees of the Endowment have taken a broad and statesmanlike view of its aims and purposes. While they do not overlook the value of the work of propaganda and intend to aid in carrying it on, they believe that the time has come when the resources of modern scientific method and of modern scholarship should be brought to bear upon the problem of international relations. They believe that the leading jurists and economists of the world should be set at work in the service of humanity to ascertain just what have been and are the legal and economic incidents of war, and just what are the legal and economic advantages to follow upon the organization of the world into a single group of friendly and cooperating nations bound together by the tie of a judicial system resting upon the moral consciousness of mankind, from whose findings there can be no successful appeal. The plans of the Trustees have been formulated with these ends in view.

It has been determined by the Trustees of the Carnegie Endowment to organize the undertaking committed to their charge as a great institution for research and public education and to carry on its work in three parts or divisions,—a Division of International Law, a Division of Economics and History, and a Division of Intercourse and Education. Otherwise stated, these three Divisions will represent the juristic, the economic, and, broadly speaking, the educational aspects of the problem before the Trustees, which is to hasten the abolition of international war by the erection of an international judicial system competent to hear and to determine all questions of difference arising between nations.

The Division of International Law will be under the direction of Professor James Brown Scott, whose services at the Department of State, at the second Hague Conference, and in connection with the American Society and Journal of International Law, are too well known to need specific enumeration. This Division will promote the development of international law, and by study, by conferences, by aiding negotiations, and by publication, and will assist in bringing about such a progressive development of the rules of international law as will enable them to meet with constantly growing adequacy the needs of the nations of the world in their juristic relations toward each other. It will not be sufficient, however, to bring the principles and rules of international law to the notice of the people of various nations; the rights and duties that are implied in these principles and rules, and that follow from them, must also be clearly and effectively taught. Furthermore, this Division of the Endowment will aim constantly to inculcate the belief that intercourse between nations should be based upon a correct and definite idea of international justice. To the perfecting and clarifying of the fundamental conception of international justice, this Division will assiduously devote itself.

All this study and activity have for their object to hasten the day when the principles and rules of international law will be so clearly apprehended and so satisfactory that the settlement of international differences and disputes in accordance with their terms will become the unvarying practice of civilized nations.

For this purpose the Endowment will associate with Dr. Scott a consultative board composed of some of

the most distinguished international lawyers in the world. The point of view of each great nation will be represented in their councils, and the results to be arrived at will be the joint work of jurists of every school and of every language. It is not too much to hope that by the influence of these scholars the international law of the future will prove to be without the division between the law of peace and the law of war which is now characteristic of it. The method which obtains in the domain of municipal law affords a model and an example for the method to be applied in the field of international law. We need, first, an agreement as to the fundamental principles which should regulate the rights and duties of nations in their mutual intercourse, which principles would then form the substantive law of nations. The means and instrumentalities provided to enforce a right or to redress a wrong would indicate the natural and normal procedure to be followed in international discussion and litigation. It would then appear that for the maintenance of rights and for the redress of wrongs between nations there are, first, the legal remedies, and, secondly, the resort to violence and force. In this way the rules of war would cease to form a part of the substantive law of nations; they would be classed, together with the peaceable remedies and after them, as one of the possible means of enforcing rights and redressing wrongs. The text-books of international law would no longer put war on an equality with peace, but would relegate it to its appropriately subordinate place in the consideration of questions of procedure.

The Hague Conference has solemnly declared that the maintenance of peace is the supreme duty of

nations. For the execution of this supreme duty adequate means must be provided. If they are at hand they should be strengthened; if they are not at hand, they must be brought into existence. A study of the struggle in the history of Europe between self-redress and the judicial settlement of private disputes, and of the steps by which private warfare was abolished and civil actions were made determinable by courts of law, will help to convince the nations of the world that the very measures which they have taken within their several borders to do away with self-redress and to establish domestic peace and order, are precisely those which will establish order and justice and assure peace between the nations themselves. This whole process is one of legal evolution.

The second Division of the work of the Carnegie Endowment will be the Division of Economics and History. It will be under the direction of Professor John Bates Clark, of Columbia University, whose foremost place among English-speaking economists is gladly recognized everywhere. The work of this Division, like that of the Division of International Law, will be scientific and scholarly in character, in organization, and in method. Like the Division of International Law, the Division of Economics and History will aim at the education of public opinion and at the formulation of conclusions that may serve for the guidance of governmental policy. With Professor Clark will be associated a score of the world's leading economists. England, Germany, France, Italy, Austria-Hungary, Switzerland, Holland, Denmark, Japan, the Argentine Republic, and other nations will have a voice and a part in formulating the

problems to whose solution this Division will address itself, and in working out the solutions of those problems. The results arrived at in this case, as in the case of the Division of International Law, will not be those imposed upon the judgment of one people by the scholars and economists of another, but they will be those that are reached by cooperation between economists of a dozen nations.

It will be the business of this Division of the work of the Endowment to study the economic causes and effects of war; the effect upon the public opinion of nations and upon international good will, of retaliatory, discriminatory, and preferential tariffs; the economic aspects of the present huge expenditures for military purposes; and the relation between military expenditures and international well-being and the world-wide program for social improvement and reform which is held in waiting through lack of means for its execution.

The highest expectations may confidently be entertained as to the practical results to follow from the successful prosecution of economic studies such as these. Mankind has never yet learned to appreciate the dislocation which war necessarily produces in the economic processes of production, distribution, exchange, and consumption all over the world. A war between two nations is not confined in its effects to the combatants. The interests of neutral powers are involved in some degree. Articles for which there is no market in time of peace are called for in large amounts in time of war; the processes of production are diverted from their normal channels or are artificially stimulated in abnormal ways; exchange is alternately diminished and accelerated; the markets of the

world are disarranged; and in every direction are to be found evidences of war's ravages and evil consequences. Mankind must be taught to look upon war as a pathological phenomenon; to seek in the economic and social life of men and nations for its most active causes; and to look farther and deeper in that same economic and social life for modes of preventing war and for allowing the economic activities of mankind to go forward unhindered and unhampered in their mighty task of laying the basis for an increasingly higher and nobler civilization.

The work of this Division of the Endowment may well result, within a measurable period, in broadening the study and the teaching of political economy everywhere. Moreover, it will help to bring about a new conception of history, and to establish new tests of effectiveness in the teaching of it. We shall gain from these studies a new standard in the measurement of human values, and the children of the generations that are to come will have an opportunity to learn more fully than has yet been possible of the high significance of the scientific and philosophic development of mankind, of his artistic and literary achievements, of his moral and social advances, of his industrial and commercial undertakings; in fact, of all those things which we justly think of as entering into a true conception of civilization.

In these two Divisions—those of International Law and of Economics and History—the Endowment will, under the leadership and guidance of trained scholars of the first rank, seek to make constant and influential contributions to human knowledge with a view to so instructing public opinion as to hasten the day when

judicial process will everywhere be substituted for force in the settlement of international differences and misunderstandings.

There remains a third and important division of the work of the Endowment—the Division of Intercourse and Education—the director for which has not yet been announced. It will be the function of this Division to supplement the work of the two Divisions, which may be called, perhaps, the scientific ones, by carrying forward vigorously, and in cooperation with existing agencies, the educational work of propaganda, of international hospitality, and of promoting international friendship. Among the tasks of this Division will be to diffuse information and to educate public opinion regarding the causes, nature and effects of war, and the means for its prevention and avoidance; to establish a better understanding of international rights and duties and a more perfect sense of international justice among the inhabitants of civilized nations; to cultivate friendly feelings between the inhabitants of different countries, and to increase the knowledge and understanding of each other of the several nations; to promote a general acceptance of peaceable methods in the settlement of international disputes; and to maintain, promote, and assist such establishments, organizations, associations and agencies as shall be deemed necessary or useful in the accomplishment of the purposes for which the Endowment exists. In other words, this Division will make practical application of the teachings and findings of the Divisions of International Law and of Economics and History.

It can hardly be doubted that the men at the head of these three important Divisions of the work of the

Endowment, with their immediate associates and colleagues in this and other countries, will speedily come to form a veritable Faculty of Peace, and that the world will look to them more and more for instruction and for inspiration alike. No such broad and philosophic conception of international relations has ever before been put forward as that which the Trustees of the Endowment have formulated and made their own. The conception itself and the admirable plans made for its development and application open a new era in the history of the world.

To such great and nobly conceived tasks as these the Trustees of the Carnegie Endowment for International Peace have set their hands. Every true lover of his kind will wish them success in their stupendous undertaking, and will offer them earnest and hearty support toward its accomplishment.

AN INTERNATIONAL JUDICIAL SYSTEM

The organization of an international judicial system goes steadily on. The auspicious settlement of the differences between Great Britain and the United States in regard to the Newfoundland Fisheries, by their submission to the International Court of Arbitration at the Hague was at once a long step forward in international practice and an example which has not been without its effect upon the public opinion of other nations. It must not be forgotten that an International Court of Prize was created by the Second Hague Conference, and that the same body, composed of accredited representatives from forty-four different nations, recommended the establishment of an International Court of Arbitral Justice. So soon as these

two Courts shall be put into operation at The Hague a permanent international judiciary will have been created,—one capable of hearing and deciding any and every controversy of a justiciable character which may arise between nations either in time of peace or because of the existence of a state of war.

The convention for the establishment of the International Court of Prize has been approved by thirty-four nations. Despite this fact, the Court has not yet been instituted. Various objections have been made to its institution as planned, and to overcome these objections no little time, patience, and diplomatic skill have been necessary. It is common knowledge that Great Britain objected to that article of the convention establishing the International Court of Prize which gave to the Court the power to determine, as well as to administer, the law where the principle of law applicable to the facts as found had not yet been formulated by international practice or imposed upon the court by convention. Great Britain did not wish to invest the International Court of Prize with law-making functions, and therefore postponed its acceptance of the convention until an agreement had been had upon the principles of law which the tribunal was to administer. Upon the invitation of the Government of Great Britain, representatives of the leading naval powers assembled in London from December 4, 1908, to February 26, 1909, and agreed upon the so-called Declaration of London, the purpose of which is to furnish the proposed tribunal with the law which as the International Court of Prize it is to administer. In this way the objection of Great Britain has been met.

On the other hand, the United States objected to

those provisions of this same convention which gave to the proposed tribunal the attributes of a court of appeal, and under which a judgment of the Supreme Court of the United States might be subject to review at its hands. This objection, which must be considered in large part sentimental, drew its force from the fact that under the Constitution there is but one Supreme Court, and that an appeal from its findings to an International Court at The Hague would seem to take away some of the powers which the Supreme Court possesses and of which Americans are so justly proud. This objection is, as has been said, in large measure sentimental, because the International Court of Prize is to be, not a national but an international institution, and the Constitution applies, of course, to a court within the United States and not to one without the country. Nevertheless, an alternative form of procedure has been proposed, which meets the objections offered on behalf of the United States and which, embodied in the form of an additional protocol, has been approved by the signatories of the original Convention. By the terms of this additional protocol, any nation which feels itself precluded from following, for constitutional reasons, the procedure originally proposed for the International Court of Prize, is placed in a position where recourse to that court can only be exercised against it in the form of an action in damages for the injury caused by an alleged illegal capture.

On February 15, 1911, the Senate of the United States approved both the original Convention as to the International Court of Prize and the additional protocol. Ratifications of both instruments by the various signatories will doubtless be deposited at The

Hague during the present year, and the International Court of Prize will then become an accomplished fact.

Great as are the advantages of an International Court of Prize, the fact must not be overlooked that the very existence of such an institution presupposes war; for its purpose is to decide controversies arising because of alleged illegal captures in time of war. The International Court of Arbitral Justice, on the other hand, has for its purpose the settlement of controversies and differences which arise in time of peace, and which, when settled and determined, may avert hostility and war. It will be remembered that at the second Hague Conference the proposal of the United States in regard to the establishment of this Court was accepted in principle, and that a draft convention was adopted regulating its organization, jurisdiction and procedure; but that the definitive constitution of the Court was not agreed upon because the Conference failed to hit upon a method of selecting the judges that was acceptable to all of the nations represented.

The Government of the United States has been at work, through appropriate diplomatic channels, upon the problem of bringing about the establishment of this Court, and it is with no small satisfaction that I am enabled to say that the progress which is making in the consideration of this matter indicates that it will be brought to a favorable conclusion in the near future. At this Conference one year ago, the Secretary of State authorized the announcement that he had reason to believe that the International Court of Arbitral Justice would be instituted before the time set for the meeting of the third Hague Conference. It is

now possible to say, again with the knowledge and approval of the Secretary of State, that the progress made during the past year has been so marked that in all likelihood such a Court, created by general agreement, will be erected at The Hague even earlier than seemed probable a year ago.

Both war and peace, therefore, are soon to have their courts—the International Court of Prize and the International Court of Arbitral Justice. There can be no reasonable doubt that one of the results of the latter will very soon be to make the former a monument to an order of things that is past.

EXCESSIVE ARMAMENTS

The nations are still struggling with the problem of inflated armaments, and no sensible progress has been made towards gaining relief from their burdens. Those who believe, with this Conference, in the efficacy of international courts for the settlement of international differences, are inclined to feel that these great armaments may well be left to tumble over, one of these days, of their own unnecessary weight. When, as we have recently seen, the successful and popular battleship of a few years ago is only useful as a target for the marksmen of to-day, the future of excessive armaments may be viewed with comparative serenity.

The widespread persistence of the mistaken notion that in some way big navies protect and develop commerce is responsible for much of the present national loss and waste. The last blow would be dealt to this notion if the other great powers would consent to join the United States in writing into international law the principle that private property at sea shall be free

of capture and seizure in time of war. Preying upon private property, and its confiscation, have long been forbidden in wars conducted on land; why should they be permitted longer to exist when war is carried on at sea? Who is to gain by the continuance of this now barbarous practice?

It is a sign of great promise that at the last regular meeting of the Council of the London Chamber of Commerce no less a person than Lord Avebury moved "that, in the opinion of this Chamber, private property at sea should be declared free of capture and seizure." The motion was carefully discussed and then adopted by a unanimous vote. The conflict here is between admiralties and the commercial and financial forces of the nations. The admiralties of the world must be compelled to give way on this point—where they have not already done so—to the reasonable demands of those whose property is subjected to loss and damage by persistence in the present unhappy and uncivilized policy, to say nothing of the demands made by those who take still higher moral and public grounds. As Mr. Hirst, Editor of the London *Economist*, so forcibly wrote a short time since—"This policy of commerce destruction is really moribund and obsolete. If practised between two great commercial nations it would raise such an outcry and involve such injustices that I feel sure it would be dropped by mutual consent at an early stage of hostilities. Nevertheless, the maintenance of the right is highly mischievous, because it is a prime incentive to armaments in time of peace and a prime cause of oppressive taxation. Statesmen and journalists found most of their arguments for increased expenditure on armaments

upon the necessity for protecting commerce. To a greater or less extent they know that their plea is fraudulent, but it serves the purpose."

THE ARBITRATION TREATY WITH ENGLAND

When the Senate of the United States refused, fourteen years ago, to ratify the proposed arbitration treaty with England negotiated by Secretary Olney and Sir Julian Pauncefote, and transmitted with the earnest approval of President Cleveland, there was deep disappointment. At that time forty-three Senators voted for ratification and twenty-six against. The treaty, therefore, failed to receive the two-thirds majority required by the Constitution. A change of three votes from the negative to the affirmative side of the question would have ratified a treaty, the first article of which provided for the submission to arbitration of all questions in difference between the high contracting parties which they might fail to adjust by diplomatic negotiation. The disappointment at the rejection of the Olney-Pauncefote treaty was as pronounced in Great Britain as it was in the United States. The London *Spectator* thought that the rejection of the treaty was due to the element of our population that likes a fight and a flourish, that hates moderation and sobriety and prudence, and that cannot tolerate the notion of the fate of the country being in the hands of clergymen and professors, of lawyers and philanthropists. However that may be, the treaty was rejected, and not until the present time has any successful attempt been made to renew the undertaking then interrupted. President Taft's direct, unequivocal, and emphatic declaration as to the scope

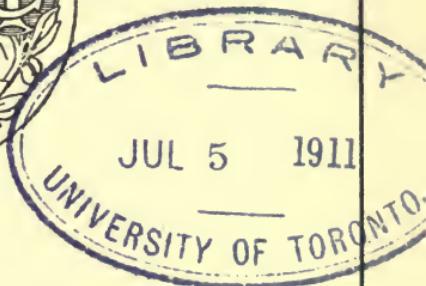
of international arbitration, and in particular as to the wisdom of an international arbitration treaty with Great Britain, has aroused the greatest enthusiasm on both sides of the Atlantic. The reception of his words in Great Britain has been, so far as one can judge, quite unexampled. Every element of the population and the leaders of all shades of political opinion have joined together in an enthusiastic reception of the President's splendid declaration. It is understood that an arbitration treaty with Great Britain, making no reservations as to the subjects of difference which are to be submitted for judicial determination in accordance with its terms, is soon to be submitted to the Senate for ratification. It is also understood that the preliminary negotiations have been conducted with such discretion and tact, and with such full knowledge on the part of the Senate, that prompt and substantially unanimous ratification of such a treaty is assured.

Surely then, some American poet should feel the inspiration to provide our Republic with a Peace Hymn that would stir and move and inspire as did Julia Ward Howe's fine Battle Hymn of the Republic at the outbreak of the terrible struggle between the States. Nations, like individuals, are powerfully moved by example and by precedent. A treaty of the kind proposed between two powers of the first class will not long stand alone. Its beneficent influence will call other similar treaties into being, and the peaceful organization of the world through judicial process will have taken another long stride forward. Every such stride forward is a new triumph for reasonableness.

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THE UNITED STATES AND LATIN AMERICA AT THE HAGUE



BY

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JULY, 1911, No. 44

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MEMORANDUM

The Executive Committee of the American Association for International Conciliation desires to express its hearty thanks to those who have suggested topics for future issues of *International Conciliation*. As some two thousand suggestions have been received it is obviously impossible to use them all. Papers on some of the topics were already in preparation, however, and others will promptly be put in hand.

THE UNITED STATES AND LATIN AMERICA AT THE HAGUE.

The corner-stone of international law is the equality of sovereign states. This principle has been accepted as fundamental and essential by international and national jurists alike, from the second quarter of the Seventeenth Century, when Hugo Grotius asserted it in his immortal *De Jure Belli ac Pacis*,¹ to the second quarter of the Nineteenth Century, when Chief Justice Marshall emphasized it in the words, "No principle of general law is more universally acknowledged than the perfect equality of nations."²

In this first quarter of the Twentieth Century, there is not only a disposition to deny the reality of this principle, but it has been flatly—almost resentfully—denied by various publicists.³ Thus, Professor Lawrence, of Cambridge and Chicago, has said: "The doctrine of equality is becoming obsolete and must be superseded by the doctrine that a Primacy with regard to some important matters is vested in the foremost powers of the civilized world. Europe is working around again to the old notion of a common superior, not indeed a Pope or an Emperor, but a Committee, a body of representatives of her leading states. On the American continent a similar primacy, though hardly of so pronounced a character [as that of the six "Great Powers" of Europe], seems to be vested in the United States."³

The reasons for this changing view are not far to seek. The intervention of the Great Powers of

¹ *De Jure Belli ac Pacis*, ii. xxii., 13-14.

² *The Antelope*, 10 Wheaton, 66.

³ T. J. Lawrence, "The Principles of International Law," (3rd Ed., 1906, p. 242); see also a discussion at the Third Annual Meeting of the American Society of International Law, held in Washington, D. C., April, 1910, in the "Proceedings of the Society."

Europe in the domestic affairs of various small Powers has been impressive and frequent, from 1819 and 1821, when the Holy Alliance "snuffed out" liberty and union in Germany and Italy, down to the recent "arrangements" of the Great Powers for the conduct of affairs in Persia, Manchuria, Macedonia, and Morocco. The "big stick" of our own Republic, too, has cast a larger and larger shadow over this hemisphere, from 1895, when Secretary Olney asserted that "To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition, down to the Revolution of November, 1903, when the Province of Panama seceded from Colombia and became, under the ægis of the United States, a free and independent Republic. By such application of the Primacy theory have some of our American statesmen endeavored to call into being a "Great Power" in the New World to redress the balance of the six "Great Powers" in the Old.

Many of the *facts*, then, of recent international relations seem to militate against the validity of the old principle of the equality of sovereign states; and those who seek for international law solely in the facts of international practice reject this old principle from the new science.

But there is another and even more potent reason for this changing view. There are certain great objects which some of the "Great Powers" are now seeking earnestly to secure, and which some of the "Small Powers" have thus far successfully resisted. These objects have to do chiefly with the development of certain phases of international legislation and jurisdiction which came into prominence at the second Conference at The Hague. Discouraged or despairing in the face of this resistance, the advocates of these measures, who are nationals of one or the other of the "Great Powers," have lost all patience with the principle of equality which controlled the pro-

cedure at The Hague, and, throwing this principle overboard, have launched an attempt to secure their objects without the consent of, or even consultation with, the "Little Fellows" in the Family of Nations. Our own country, which has won lasting credit and renown for its leadership or advocacy of the measures referred to, seems also, at times, to be losing patience with the apparently slow progress of some of our Latin American neighbors, not only in the establishment of stable governments at home, but also in the acceptance of the proposed measures of international progress.

It is essential, then, in justice to the principle of international equality which has been the nominal guide of the past, and which is still cherished as fundamental in some quarters of the world, and it is essential in estimating aright the value of the principle of "Great Power Primacy" which threatens to rule the future, to have clearly in mind the facts of the alleged resistance of the Latin American Republics offered at The Hague to the measures proposed by their sister Republic of the North.

When the British and United States delegations made their successful effort to induce the Conference to urge upon the Governments the serious study of the possibility of an agreement as to the limitation of armed forces, their effort was materially aided by the inductive argument that Argentina and Chile had already made such an agreement.¹ Thus did a Latin American incident of recent years reënforce the Anglo-American application of the same principle on the Canadian border-line nearly a century ago, and the Anglo-American championship before the Conference of the idea that the time may have come for the application of the principle on a world scale.

¹ The Chile-Argentina treaty of 1902 for the limitation of armaments was read to the Conference during the discussion of the question of armaments, and was received with vigorous applause.

The declaration of the Conference prohibiting a resort to warfare in the air, before the end of the next Conference, was adhered to by the United States and by twelve of the eighteen Latin American delegations; and the other six,¹ which voted against the Declaration or abstained from voting at all, were influenced in this action by their kinsmen, the Frenchmen and Spaniards, and also by the consideration that the advantage of the "Great Powers" in the possession of "Dreadnaughts" might be nullified by the use of some new and relatively inexpensive device of the "bird-men." That so large a proportion of Latin America adhered to the prohibition is greatly to the credit of their humanity.

The various agreements designed to mitigate the horrors of warfare on land, which were supported by the United States, received the Latin Americans' support as well.

In regard to the prohibition of "dum-dum" bullets, or bullets which expand or flatten easily in the human body, Latin America has outstripped our own Republic in its acceptance. Indeed the United States now stands alone among all the world's nations in refusing to adhere to this prohibition which is so obviously dictated by the voice of humanity.

Latin America was also abreast with the best thought of the Conference in regard to the treatment accorded to prisoners of war. Two Cuban propositions that prisoners of war may be kept in confinement only as an indispensable measure of safety, and only during the circumstances which necessitate their confinement, and that a special bureau of information shall procure and furnish to the prisoners' governments all desirable particulars concerning them, were adopted unanimously; and thus was recorded on the statute-book of the nations a prohibition of two heart-

¹ Chile, Guatemala, Mexico, Nicaragua, Paraguay, and Venezuela.

rending evils which Cuba has suffered preëminently in her sad history during the past century. The United States and Panama were the only American Republics, (and two of the six delegations) which voted in favor of the Japanese proposition that prisoners of war may be deprived of maps, bicycles, and means of transportation for military purposes, in addition to their arms, horses and military papers.

Very much the same story is to be told of Latin America's participation in the measures designed to mitigate the horrors of warfare on the sea, as in the case of warfare on land and in the air. The American Republics were unanimous (with the exception of the Dominican Republic) in favor of prohibiting the use of unanchored automatic sub-marine mines, unless constructed in such manner as to become harmless within one hour after their control had been lost; they were unanimous in favor of forbidding the use of anchored mines which do not become harmless as soon as they break their cables, the placing of mines along the coasts and in front of the ports of the enemy with the sole purpose of intercepting commerce, and the use of torpedoes which do not become harmless when they have missed their aim. Thus, the "small Powers" as well as the "great Power" of America refused to follow the lead of Germany and Italy which championed the view of states possessing relatively small navies that the use of mines and torpedoes—those "demons of the sea,"—should not be "unduly" restricted.

The credit of adapting the Geneva Convention, or the "Red Cross rules," to warfare upon the sea—which was one of the most noteworthy achievements of the Conference—was shared in unanimously by the American Republics.

Latin America voted unanimously for the proposition of the United States that the bombardment, by a naval force, of undefended towns, villages, or buildings, should be prohibited.

The fact that Latin America failed to follow the lead of the United States in its important attempt to abolish the capture of private property in warfare on the sea, was due partly to the failure of the United States itself to adhere to the Declaration of Paris, which prohibits privateering,¹ but chiefly to the fear on the part of the "small powers" lest they should be deprived, through the proposed abolition, of an important means of preventing a "large power" from declaring war against them, or of harassing it in case war should occur. This question will doubtless be settled at the third Conference, and it may safely be prophesied that Latin America, under the leadership of the United States and Brazil, will join the rest of the world in abolishing from naval warfare both privateering and all capture of private property.

Meanwhile, Latin America has joined unanimously with the Old World in the agreement to give merchant vessels due warning and fair play at the opening of hostilities, the United States standing alone on this question, for the reason that it is unwilling to accept any compromise short of the entire exemption of private property from capture.

Great Britain's epoch-making proposal to abolish the capture of contraband of war found on neutral vessels, was supported unanimously by the American Republics, with the exception of the United States, which voted against it, and of Panama, which abstained from voting at all.

On those questions of neutral rights and duties which the Conference considered, we find approximate unanimity between the United States and Latin America; and in the main, the New World participated

¹ One of the Colombian delegates, in allusion to this fact, contrasted the recent policy of the United States in building up a large navy while its merchant marine has been dwindling, with the policy of a small navy and a large merchant marine which marked the "good old days when the United States was the disinterested defender of the principles of justice and humanity."

unanimously in that great achievement of the Conference by which the rights of neutrals were vigorously asserted and carefully protected against the devastations and the overweening demands of nations at war with each other.

When we leave the subject of the restriction of the evils of warfare, and take up those measures for the prevention of warfare which have made the Hague Conferences forever illustrious, we find that Latin America did much that is worthy of praise and some things that have caused her to be bitterly censured. Whether this censure, in its bitterness or volume, is deserved, let a candid study of the facts reveal.

The proposition of the United States for a world treaty of obligatory arbitration embracing all disputes with the exception of those affecting "vital interests, independence, and honor," was championed by Argentina, Brazil, Chile, Mexico, Peru, and Uruguay; and the support that came from Latin America to the Anglo-Portuguese proposition for a world treaty of obligatory arbitration embracing as many as possible specified classes of disputes, was quite as pronounced as came from the rest of the civilized world. Among the addresses delivered in support of obligatory arbitration, those of Ambassador Choate and Dr. Drago rank with the most convincing ever delivered. When, at the end of the long discussion, the Conference adopted a resolution expressing its acceptance of obligatory arbitration "in principle," and the United States delegation refused to vote for the resolution as a surrender of the advanced position which a majority had occupied during the debate, the delegation from Haïti shared its sentiments and its place of distinguished isolation in a minority of two.

The effort of the first Conference to facilitate resort to voluntary arbitration was reënforced in the second Conference by a proposition made by Peru and adopted by unanimous vote, except for the abstentions of Japan and Turkey. This proposition was that one

of two powers in dispute, instead of taking the often difficult step of proposing arbitration to its opponent, should merely notify the International Bureau at The Hague of its willingness to arbitrate the dispute, and that the Bureau should then bring the arbitration to pass. Ambassador Choate warmly supported Peru's proposition, and in the course of his address remarked: "No one, doubtless, has forgotten how a happy application of its principle has succeeded several times in preventing wars which threatened to break out between several South American states, or in shortening such wars."

The great American triumph of securing the adoption of the Porter Proposition, which obligates a resort to arbitration in the collection of contractual indebtedness before a resort to force is permissible, was made possible to its champion, the United States, only through the truly generous support of Latin America. When it is remembered that for years before the Conference assembled, the rival Drago Doctrine, which goes further than the Porter Proposition in the prohibition of force, had been ably and eloquently expounded by the learned jurist of Argentina, and had been very widely accepted throughout Latin America, and when it is remembered that Latin America had come to the Conference almost as a unit in the determination to secure the adoption of the Drago Doctrine, the generosity and importance of its support of the Porter Proposition may be better appreciated. Of the Latin American delegations, Venezuela was the only one which did not vote for it, but abstained from voting at all; nine of them, however, while accepting the Porter Proposition as far it goes, still adhered to the Drago Doctrine as their ideal to be realized in the future. Brazil's first delegate, M. Barbosa, supported the Porter Proposition and rejected the Drago Doctrine, and in the course of a long address made a noteworthy contribution to the science of government in the form of a keen and learned critique of that

feature of the United States Constitution which shields the "sovereignty" of a State against a suit being instituted against it without its consent.

The establishment of an International Prize Court is generally considered one of the best achievements of the Conference, and this Court, proposed by Germany and constructed largely from United States materials, was voted for by all the American Republics, with four exceptions, (Brazil, Dominica, Nicaragua, and Venezuela,—which abstained from voting at all). Of the fourteen Latin American Republics which voted for it, seven reserved their consent to the method provided for the selection of judges. This method of selection was that the eight "large powers" should always be represented on the Court, and that the "other powers" should each appoint one judge for a term of six years, but that since only seven of the latter judges could sit upon the bench at the same time their term of actual service would be from one to four years, this term depending upon the ranking of each of the "other powers."

M. Barbosa, of Brazil, was the able and persistent opponent of this method of choosing the judges, and he based his opposition upon the two-fold ground that the ranking of the powers was arbitrary and unjust, and that it violated the principle of the equality of sovereign states. The Court of Arbitral Justice, which was proposed and championed by the United States, was also vigorously opposed by M. Barbosa for the same reason. In the vote for the Court of Arbitral Justice, eight of the Latin American Republics stated that they would accept the court only on the basis of international equality.

M. Barbosa, the leader of the opposition to the Prize Court and the Court of Arbitral Justice, denied emphatically "the quarrelsome humor, the political imbecility, and the hostility to the United States," which had been attributed by the newspapers to him and the country which he represented, and reminded the Con-

ference of the cordial support which the Brazilian delegation had accorded to nearly all of the propositions made by the United States. His conscientious, able and statesmanlike opposition to the two courts was rendered even more moderate by the ironical and cynical opposition of two "small powers" of Europe.

When a summary statement is made of the coöperation in the Conference on the part of the United States and Latin America, it is seen that the two Americas worked together in the solution of the following fourteen questions: the programme, the limitation of armaments, the restriction of warfare in the air, the declaration of war, belligerents, prisoners of war, submarine mines, naval bombardment, neutral rights and duties, mediation, commissions of inquiry, the extension of obligatory arbitration by means of a world treaty, and, most important of all, the adoption of the Porter Proposition and the summons of a third Conference. The two Americas diverged on the following eight questions: dum-dum bullets, blockade, contraband, the transformation of merchant vessels into warships, the delay of favor, the exemption of private property from capture, and the courts of prize and arbitral justice. On the first five questions in the latter group, Latin America is in line with the most progressive members of the family of nations, while the United States still lags behind. On the great proposition of the United States to exempt private property from capture, four Latin American states (including Argentina) voted against it, three (including Brazil) voted for it, and the rest abstained from expressing their still undecided opinion. On the great proposition of Germany for the establishment of the Prize Court, fourteen of the Latin American states voted with the United States for it, seven of these reserving their acceptance of the plan of selecting the judges. And on the great proposition of the United States for the establishment of a Court of Arbitral Justice, eight of the Latin American

states voted in favor of it on condition that some plan shall be found for conserving in it the principle of the equality of states.

In view of these facts, there is no question that Latin America has deserved well of our Republic. With her continental domain and unmeasured resources, her future is capable of being wholly worthy of the New World. For the present, our gratitude and our patience are alone justifiable: our gratitude for what she has done to aid the new internationalism of our time; our patience with her present attitude towards a Court of Arbitral Justice. Meanwhile, let us fervently hope and strive that our own Republic shall advance steadily and surely towards certain standards of international ethics which are still some distance ahead of us.

W.M. I. HULL

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3. A League of Peace, by Andrew Carnegie. November, 1907.
4. The results of the Second Hague Conference, by Baron d'Estournelles de Constant and Hon. David Jayne Hill. December, 1907.
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6. Possibilities of Intellectual Co-operation Between North and South America, by L. S. Rowe. April, 1908.
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8. The Sanction of International Law, by Elihu Root. July, 1908.
9. The United States and France, by Barrett Wendell. August, 1908.
10. The Approach of the Two Americas, by Joaquim Nabuco. Sept., 1908.
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19. The United States and China, by Wei-ching Yen. June, 1909.
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26. The East and the West, by Seth Low. January, 1910.
27. The Moral Equivalent of War, by William James. February, 1910.
28. International Unity, by Philander C. Knox. March, 1910.
29. The United States and Australia, by Percival R. Cole. March, 1910.
30. The United States and Germany, by Karl Von Lewinski. April, 1910.
31. The United States and Mexico, by James Douglas. May, 1910.

INTERNATIONAL CONCILIATION

THE EMOTIONAL PRICE OF PEACE



BY

PROFESSOR EDWARD L. THORNDIKE

Teachers College, Columbia University

AUGUST, 1911, No. 45

American Association for International Conciliation

Sub-station 84 (501 West 116th Street)

New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 13.

THE EMOTIONAL PRICE OF PEACE

When Friday tried to indulge his cannibalism, Robinson Crusoe first expressed his abhorrence of such practices. He then, if I remember rightly, made it known to Friday that he would surely kill him if he dug up and ate the body. But he wisely reinforced the sentiment and the threat by demonstrating to Friday the merits of young goat, stewed, broiled and roasted. Whereupon, it is written, Friday of his own initiative decided that he would never eat man again.

Reasonable men are now inoculating their less civilized brethren with the feeling that the settlement of international disputes by violence is abhorrent to honor and justice, and even to enlightened selfishness. They will soon have an international court and police to keep any nation Friday from relapse into wholesale murder, arson and political cannibalism. But it may be useful to make sure also that other tastes are stimulated so that the peace of nations may bring an added zest and richness to life.

It is a nice problem in psychology to measure just what will be lost from human nature when nations have disarmed and war is as discreditable as piracy. It is even more interesting to decide what best to give men to replace their hankerings for the thrills of national revenge and bloodshed.

First, we must separate the effect on the *participants*, —those who, for love of country, love of money or love of excitement, do the killing and orphaning,—from the effect on the *onlookers*. These too must be divided into those who are paying the price of the war-game, wearing their hearts out with the misery it

is bringing to them and their fellow men, and, on the other hand, the deadheads—the “bums”—who neither fight nor suffer, only chuckle because “we lost ten thousand while they lost thirty,” or curse the army that let itself be killed,—who sit in the corner grocery or by the “ticker,” telling how they would have done it! These last, it will appear, are the only losers from peace.

The “born” warrior, the professional soldier, even the fighting sport and adventurer, and all who would by choice participate in wars, will not suffer when wars have gone the way of trial by fire, blood-feud, and piracy. They need not lose one jot or tittle of the joy of living. As international police, serving the international department of justice and correction, they can be happily engaged in preventing outrages by any nation, in taking concealed weapons away from any dishonorable party, in actually putting *hors de combat* any twentieth century Napoleon who may wish to try his might against the right of the civilized world. There will be just about enough war-work for such men.

The onlookers who pay, the mothers, children and friends of those who fight, ask no equivalent emotions for those which war would bring. The excitement, anxiety, terror and endless grief no one, even under the insane obsessions of primitive war-lust, will crave. The pride is only that which will come in purer form and higher degree from any useful service the son or father performs in the world. Indeed, if deprived of the artificial premium of a code of revenge no longer acceptable as honorable or just, war must less and less arouse any patriotic feeling, and more and more be

felt as a mere misfortune of human nature. A son killed in war will be reckoned as a victim to human stupidity, like one hit by a chance shot from a street fight, run over by a careless engineer, or poisoned by ill-inspected meat.

Cheap rhetoric has tried to convince us that the mother's grief is purified into resignation and pride by the knowledge that her boy's life was given to a righteous cause. This insult to every boy and mother on the other side can bring condolence only to a narrow mind, and never when there is a just suspicion that the war was nowise needed for the triumph of the cause.

Men and women are beginning to see the difference between being in the right in a dispute and having a right to go to war over it. If it should be known that Canada had stupidly refused to make reparation of say \$100,000 as stipulated for some violation of a fishery-treaty, we all might agree that our country was in the right, but a majority of sane men would equally agree that our government did not have a right to set a hundred million decent people at war because of the stupidity of certain Canadian officials. A thousand men here and in Canada would promptly offer to pay the fine and save the war. We would no more go to war with Canada for \$100,000 than we would tear the rags from a destitute orphan because her father owed us two cents. We are all learning that a righteous cause is a cause for war only when the wrong done by the war is less than the right it preserves. Nor will there be in the future any such readiness as there has been in the past to assume that the war which someone is interested in stirring up is really in the defense

of national welfare. Just as a hundred years ago men began to suspect that the divine right of kings was merely a money-making device, so to-day they begin to suspect that private interests outweigh the common good in the conflicts of nations. Rightly or wrongly, no mother's blessing will urge her boy on to fight for dollars for the H. O. and G. Trust, or prestige for Mr. D. F., who may happen to be our hired man doing our work as Secretary of State. The thought of a parent on the battle-field for a wily group of property-holders in Mexico arouses no patriotic exultation in even the most unsophisticated child.

The only losers by peace are the deadheads—the bums—who neither fight nor suffer. They lose the cheap excitement of contemplating wholesale murder and of playing with the lives of nations. They are jealous of national dignity because they "like to see a good scrap." They do not believe in compromise because it is "tame." They would like to show Germany or Japan what we could do in a war! A war is good to read about while it lasts and to brag about afterward! They seek that extraordinary form of self-respect which comes from belonging to a state that is rich, a city whose baseball team holds the championship, or a nation victorious in war! The ultimate emotional value of war is only as a monstrous dog-fight for them to stare at and talk about. For them alone some substitute for the thrills of war is needed.

It is worth while to seek a substitute for war for even this despicable mob. For we all belong to it. In its cheap enjoyments we all share. There is in us all a lust for the cowardly excitement of looking on at

conflict. This is held down somewhat by a decent regard for the happiness of mankind and by whatever prudent insight we have into the eventual cost of war to our own fortunes. It is choked off somewhat by interests in family, friends, knowledge, beauty and skill. But a little relaxation of the humane habits and tastes which have been laboriously taught us suffices to release it, and we gloat over the game of war. We all relapse easily into shoddy patriotism, esteem ourselves for the skill of "our" generals, swell with pride at "our" army's valor, and appropriate as a personal dignity the heroism of which we read. A slight pretext makes us think that our country's business is to do us credit! By a pitiable excess of stupidity we assume victory as our glory, but credit defeat to a general's folly or a bureaucrat's incompetence. No one of us has fully mastered the first lessons of citizenship,—to think of things as they are, to want the common good, and to act from reason. While we are learning them, we need to beguile ourselves from false national pride and from cheap excitement at vicarious conflict.

To substitute a rational patriotism for self-congratulation at the exploits of a military "team" involves teaching ourselves to take pride in what we have earned and to prize only worthy achievements. Both tasks are hard. By original nature, man exults in all glories which he can connect with himself no matter how adventitiously. By original nature man prizes his advantage over others rather than his absolute welfare.

But the tasks are made needlessly hard by foolish education. School-books, for instance, on page after page teach children to vaunt themselves because this

is a very large country, a very free country, one that had in the past very brave soldiers, and the like. But one has to look long to find any lessons on what boys and girls or men and women do that gives them a share in the country's greatness. A boy is allowed to be more or less ashamed of having been at a small college for which he did something in scholarship or athletics, but to be proud of having been at a large college which did much for him. Instead of thus deliberately pauperizing their patriotism we should teach them to live for, not on, their country's greatness.

A moderate amount of forethought on the part of teachers, editors and preachers would give common habit a turn toward the questions: Is my city proud of having me belong to it? What does America gain because I am an American? We need not at any rate deliberately attach self-congratulation to those situations which properly evoke only humble gratitude, or give systematic lessons in applying to oneself the honor due to another.

More can be done than to release patriotism from being pauperized. We can open the mind to the real nature of citizenship. In so far as boys and girls learn that any act whatever that makes their city or country a better place for good people to live in is an act of good citizenship—that efficient labor, skillful professional service, healthy and noble pleasures are important features of citizenship—they will abandon shoddy patriotism. By seeing that they can give something, they will take pride in giving, will give more, and will regard their country's successes, not as a spectacle for their benefit, but as a business in which they have a share.

The other half of the problem—teaching ourselves to prize only worthy national achievements—is also made needlessly hard by the conventional exaggeration of the litigious virtues which survives as a relic from the days before the discovery of truth, the organization and economy of labor, and deliberate constructive work for human welfare were recognized activities of the state. Just as our arithmetics contain problems that can be traced unfailingly back to the days of barter in Venice in the sixteenth century, so even the best of our school histories is a lineal descendant of the songs sung at war-dances and cannibal feasts.

The best way to teach ourselves to appreciate worthy national enterprises is to engage in them. Interests and emotions are the products as well as the producers of acts. We create zeal by zealous behavior. Let men work together at building the Panama canal and conserving needed forests; at putting an end to malaria, yellow fever, tuberculosis, the white-slave traffic and child-labor; at providing employment for all capable and willing workers and education in a trade for every boy and girl able to learn one. They will soon come to feel an honorable pride in their race or nation—pride in what it achieves for its own and the world's good. They will find the game of welfare as interesting as the game of war.

This is not a Utopian solution. The zest for vicarious war, for contemplating the conflicts of military "teams," has lived not so much by its intrinsic attractiveness as by heavy subsidies. Put a million dollars a day into any national enterprise, say a crusade against tuberculosis, and it acquires interest.

Devote a large fraction of literary talent for two thousand years to advertising the adventures of a public-health army, and the career of a hunter of microbes will become attractive. The intrinsic difficulty of arousing interest in exterminating the tubercle bacillus or freeing children from slavery or putting Justice on the throne of industry, may not be greater than that of arousing an equal interest in exterminating the aborigines, or freeing Cuba, or putting a Bourbon on the throne of France.

Suppose that from '61 to '65 we had spent three thousand million dollars in a campaign to free little children from misery in factories and mines. The health, happiness, and education of children would be of public interest. Suppose that since then the pension expense, now over three million dollars a week, had been given up to discovering and helping men of genius to turn their passion for truth and beauty to the world's advantage. We should appreciate the worth of provision by a state for the discovery, conservation and use of its human resources.

Suppose that we now maintained at a cost of two hundred and seventy-five millions a year an army of physicians, men of science and nurses to eradicate tuberculosis. The mere expenditure of what our military establishment now costs us, would make every village church and city club a center of interested discussion of the latest news from the tenements!

As a matter of fact, we are, year by year, more rapidly acquiring interests which will protect us against cowardly zest as onlookers at a cock-pit of nations. In their sober senses the plain people of this country

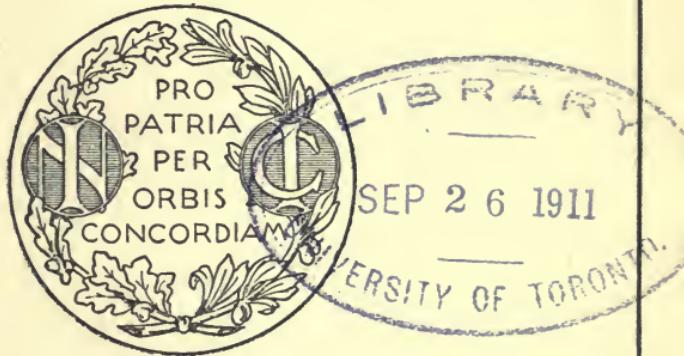
no more hanker after a look at the war-game than they hanker after bull-fights or the trial by fire. Public enterprise is being directed less toward a fretful defense of national prerogatives, and more toward an energetic fight for the inward means of national dignity. The settlement of national disputes by force is doomed to have in the life of reason only the painful interest of a pitiable accident, like the wrecking of a train by an incompetent switchman, or the murder of his family by a maniac.

EDWARD L. THORNDIKE

INTERNATIONAL CONCILIATION

INTERNATIONAL ARBITRATION

An Address Delivered at the Fifth Annual Meeting of the
American Society of International Law, held
at Washington, April 29, 1911



BY

THE RT. HON. SIR CHARLES FITZPATRICK
Chief Justice of Canada

AUGUST, 1911—SPECIAL BULLETIN

American Association for International Conciliation

Sub-station 84 (501 West 116th Street)

New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on pp. 17 and 18.

Attention is also called to a pamphlet (not in the regular series) entitled "Arbitration between Great Britain and the United States," by His Eminence, Cardinal Gibbons, which will be sent postpaid, on request.

INTERNATIONAL ARBITRATION

By the Right Honorable Sir Charles Fitzpatrick, Chief Justice of Canada, at the Fifth Annual Meeting of the American Society of International Law, Washington, April 29, 1911.

MR. PRESIDENT, CHAIRMAN AND GENTLEMEN:

First of all, I must tell you quite frankly that I was moved to accept your kind invitation not merely that I might have the pleasure and honor of meeting the members of the American Society of International Law, but more especially in the hope that I might greet those gentlemen whose acquaintance I made last year at The Hague, and who are represented in such goodly numbers here tonight. This is the first opportunity I have had to refer to the work done at The Hague, and let me say that if some success attended our efforts, it was due not only to the skill and deep knowledge displayed by the counsel for the United States, who materially assisted the court in arriving at the conclusions to which it came, which I think are fairly satisfactory, but above all, it was due to the great learning and judicial temperament of your representative, or rather I should say of my colleague, Mr. Justice Gray. I have come here at some personal inconvenience to myself, I confess, but all inconveniences disappear in the face of the opportunity that is given to me to bear this testimony to my colleague and to your distinguished counsel, to whom is due in large part, I repeat, the successful result of our labors.

During the course of some correspondence I had recently with one of my English friends on the subject of the origin, rise and growth of international law and arbitration, he said to me:

Claims have been made on the part of different places to the honor of being the ark from which the dove started on its flight, some years ago, across the waste of stormy waters, to find its olive branch. Paris, St. Petersburg and The Hague have been associated at different times, with different

phases of the movement, to such an extent that the claim of Washington to be its starting place has been to some degree overlooked.

I agree in part with my English friend, and I explain his enthusiasm for Washington by the fact that he has lived for some years under the seductive influence of this atmosphere. For my part, gentlemen, I admit that Washington was the place at which the dove found the olive branch, but the ark, when the dove started, was moored at Saratoga Springs. You will remember—no lawyer can forget it—that in the year 1896 Lord Russell of Killowen, Chief Justice of England, addressed the American Bar Association, then in session at Saratoga, on the subject of international law and arbitration. After having, to illustrate his theme, ransacked the history of all the ages and traced from century to century the slow process by which the hopes of civilized peoples have crystalized into international law, the great Chief Justice concluded his eloquent appeal in words which entitle him to have his [name] forever inseparably associated with that of William Howard Taft, as one of the two great apostles of international arbitration.

Parenthetically I wish to add that it is to the credit of the much-maligned profession to which we belong that that profession should have given to the United States not only the great war President, Lincoln, but also the great peace President, Taft; that our profession should have given to the United States the two great Secretaries of State who have done so much for international law and arbitration—Elihu Root and Philander C. Knox.

The concluding words of Lord Russell at Saratoga were as follows:

Mr. President, I began by speaking of the two great divisions—American and British—of that English-speaking race which you and I represent today, and with one more reference to them I end.

Who can doubt the influence they possess for insuring the healthy progress and the peace of mankind. But if this influence is to be fully felt, they must work together in cordial friendship, each people in its own sphere of action. If they have great power, they also have great responsibility. No cause they espouse can fail; no cause they oppose can triumph. The future is, in large part, theirs. They have the making of history in the times that are to come. The greatest calamity that could befall would be strife which should divide them.

Let us pray that this shall never be. Let us pray that they, always self-respecting, each in honor uplifting its own flag, safeguarding its own heritage of right and respecting the rights of others, each in its own way fulfilling its high national destiny, shall yet work in harmony for the progress and the peace of the world.

The seed sown in Saratoga fell on fruitful soil, and in consequence the great cause of international arbitration has made more solid progress, not only between your country and mine, but throughout the world, during the fifteen years which have gone since Lord Russell spoke than in the 1500 years which went before. It is apparently always thus with you, whether in the world of thought or of action, or invention; the harvest which so slowly ripens elsewhere seems to come, in this favored land, to maturity with a rush. Russell of Killowen was a great judge and a strong judge, and politically was always in the front of the thought of his time. His views upon the scope and possibilities of international arbitration may safely be taken as standing for the high-water mark which the cause had then reached. If we turn now to the address at Saratoga Springs, we find it a lucid exposition of the history of the movement; its timid tentative growth is traced from its beginnings among the Greek states of old, through the fitful experiments in the Middle Ages down to the historic instances of modern times. When he came to deal with the future of the movement, the Chief Justice seemed to falter. When he looked forward, it was with a dim and doubtful vision. Even his hope seemed to have its limitations. He thought arbitration an admirable method for settling quarrels of peoples, when the subject matter in dispute was trivial in itself, or concerned with the interpretation of an obscure treaty, or the finding of a doubtful frontier.

It was only fifteen years ago, and yet we find this advanced thinker, this generous pioneer, ruling out whole classes of cases as too vital, too serious, too intimately concerning the honor of the peoples to be fit subject matter for settlement by arbitration. He enumerated a number of questions which led to national differences and to which arbitration may properly be applied, and that enumeration is satisfactory as far as it goes; but what a little way it does go. When we come to note the exceptions, we find all the deeper causes of quarrels are left outside; left to the blind decision of war. I quote:

But there are differences to which, even as between individuals, arbitration is inapplicable—subjects which find their counterpart in the affairs of nations. Men do not arbitrate where character is at stake, nor will any self-respecting nation readily arbitrate on questions touching its national independence or affecting its honor.

When a nation's heart is in the quarrel, when its blood is up, what occasion for strife is there which could not be brought under one or other of these two exceptions, "touching its national independence," or "affecting its honor."

Taking then Lord Russell's address as *out terminus a quo* as the point at which we may fix the highest that was looked for in 1896, we are at once in a position to measure the progress that has since been made. The advance has been not to any half-way house, but to the top of the hill. We seem to stand on the summit of the mountain when we read these splendid and uncompromising words spoken only last year by the President of the United States. In his address to the American Peace and Arbitration League of New York, on the 22d of March, 1910, Mr. Taft said:

Personally I do not see any more reason why matters of national honor should not be referred to a court of arbitration than matters of property or matters of national proprietorship. I know that is going further than most men are willing to go; but I do not see why questions of honor may not be submitted to a tribunal supposed to be composed of men of honor, who understand questions of national honor, and then abide by their decisions, as well as any other question of difference arising between nations.

And Mr. Taft when he used these words was not playing with a theory. He meant business. As the Lord Chancellor of England recently said:

When a man who holds an office such as that of President of the United States, which is not surpassed either in dignity or power by any position in the world—when he said what President Taft has said, he raises the hopes of mankind.

Let me add that when the President of the United States speaks he has humanity for his audience.

A few months later, in December of the same year, speaking before the American Society for Judicial Settlement of International Disputes, the President used these memorable words:

If now we can negotiate and put through a positive agreement with some great nation to abide the adjudication of an international arbitral court in every issue which cannot be settled by negotiation, no matter what it involves, whether honor, territory or money, we shall have made a long step forward by demonstrating that it is possible for two nations at least to establish as between them the same system of due process of law that exists between individuals under a government.

It was at once assumed that when he spoke of some great nation, Mr. Taft had Great Britain in his mind. What was confident conjecture then is a certainty now. Asked in the House of Commons whether it were true that the Government of the United States had expressed itself willing to negotiate a treaty under which all disputes of whatever nature between the two countries should be referred to arbitration, and what steps he would take to promote that object, the British Premier, Mr. Asquith, made answer on the 7th day of March, as follows:

His Majesty's Ambassador at Washington has reported that the United States Government contemplates proposing such a treaty, and a reply has been sent that any proposals they may make will of course meet with the most sympathetic consideration.

That was good and decisive, but there was better to follow.

On the 13th day of March, during the debate on the Naval Estimates, the Foreign Secretary, Sir Edward Grey, after speaking in a rather despondent tone of the growing burden of military and naval expenditures, and of the difficulty of checking it under existing conditions of Europe, said:

I can conceive but one thing which will really affect the military and naval expenditure of the world on the wholesale scale on which it must be affected if there is to be a real and sure relief. You will not get it until nations do what individuals have done—come to regard an appeal to the law as the natural course for nations instead of an appeal to force.

It was a new note in the discussion, and coming from the representative of the government, at once arrested the attention of the House. In justification of his belief, that the disputes of nations may some day be decided by process of law and their armies be only an international police force, Sir Edward Grey read to the House the two paragraphs from the speeches of Mr. Taft which I have just quoted. Now see how the American proposal was met. Sir Edward Grey answered for England thus:

Supposing two of the greatest nations in the world were to make it clear to the whole world that by an agreement of such a character as under no circumstances were they going to war again, I venture to say that the effect on the world at large of the example would be one that would be bound to have beneficent consequences . . . I have spoken of that because I do not think that a statement of that kind put forward by a man in the position of the President of the United States should go without response. Entering into an agreement of that kind, there would be great risks. It would entail certain risks for us to refer everything to arbitration, and as the President of the

United States has said, we must be prepared to take certain risks and to make some sacrifice of national pride. When an agreement of that kind, so sweeping as it is, is proposed to us, we shall be delighted to have such a proposal. But I should feel that it was something so momentous and so far-reaching in its possible consequence that it would require, not only the signature of both governments, but the deliberate and decided sanction of Parliament, and that, I believe, would be obtained.

It is interesting to note that Sir Edward Grey proposed a departure from the usual constitutional practice in his statement that he would submit a new treaty to Parliament. In so doing, he has invested the treaty now under negotiation with an importance which gives it a different status from that of the ordinary international compact. He rightfully feels that such treaties are compacts between peoples, and as such should have the popular sanction, for, when all is said and done, the burden of expenditure and the toil of blood caused by war must, in the last resort, be levied on the masses of the people. If the hope expressed by Sir Edward Grey ever finds its fulfillment, we shall indeed feel we are at the summit of the hill and may even look down upon the possibilities of fratricidal strife as only a nightmare of the dreadful past; but though we may fairly hope that we are now on the eve of a treaty which will open a new epoch in the history of mankind, this position of high expectancy has been reached only by gradual steps and not a few setbacks.

And let me say that while I was considering what I should say to you tonight, my mind reverted to a treatise on war which I read many years ago, by an eminent French philosopher, in which he says that war cannot be banished from the world; that from the days that Cain slew Abel down to the present time, at all epochs of the world's history there have been at different places on the surface of the earth pools of blood, which, as he put it so beautifully in French, and as I am sure you will understand it, I venture to quote it in all the beauty of the original:

Depuis le commencement du monde, la terre à différents endroits a été couverte de taches de sang que ne peuvent dessécher ni les vents avec leur brûlante haleine, ni le soleil avec tous ses feux,

that is, neither the sun with all its ardor, nor the wind with its burning breath, have ever been able to dry up.

Let us concede that war cannot be banished from the face of the earth; but surely, if war can not disappear, the crime of fratricide will disappear.

A year after the occasion of Lord Russell's address at Saratoga Springs, a wide-reaching treaty of arbitration between the United States and Great Britain was successfully negotiated by Mr. Olney on the one side and Lord Pauncefote on the other. The treaty, though fully accepted by the British government, failed to secure ratification in the United States Senate and so came to nothing. At the same time, its provisions are well worth careful study, representing as they do the extent to which public opinion had been educated in the two countries before The Hague Conference had been thought of. The treaty is remarkable for the fact that it stipulated that every kind of dispute should come before the arbitrators, but its weak point was that in the gravest class of cases the decision was not binding unless the court was practically unanimous. Mr. Cleveland, in his letter transmitting to the Senate the treaty, which he declared to represent the concessions of each party for the sake of agreement to a general scheme, said that, though the result reached might not meet the views of the advocates of immediate, unlimited, and irrevocable arbitration for international controversies, nevertheless he confidently believed that the treaty could not fail to be recognized everywhere as being a long step in the right direction, as embodying a practical working plan by which disputes between the two countries might reach a peaceful adjustment as a matter of course and ordinary routine. Some of its features were admittedly of a tentative character; yet the treaty not only made war between England and the United States a remote possibility, but precluded those fears and rumors of war which are sometimes only less disastrous than the dread reality itself. The President did but echo the opinion of both nations when he went on to declare that it was "eminently fitting" that the first great treaty of arbitration should be signed by "kindred peoples of the same tongue, and peoples joined by the ties of common tradition, institutions, and aspirations."

Finally, the President expressed his belief that the example thus set by the English-speaking peoples would not be lost upon the world, so that the treaty might be the beginning of a better time for the world and mark an epoch in the history of civilization. These were brave words and well meant, but the treaty failed to secure the necessary number of votes in the Senate. Those who were inclined to blame the Senate for

its action may now perhaps exclaim "O felix culpa," for the failure of the Olney-Pauncefote treaty of 1897 has left the field open for something better in 1911.

Two years after this failure came the First Hague Conference, the nearest approach the world has ever seen to a common legislative assembly for all the nations. The facilities and machinery it provided for arbitration have had incalculable results, and every new precedent for this peaceful method of settling international quarrels strengthens the chain by tending to develop the habit of looking to arbitration as the natural alternative of war. From first to last, something like a hundred and fifty disputes between nations have been peacefully adjusted. Some such as the Atlantic Fisheries Arbitration have involved intricate and difficult investigations with mixed questions of law and fact, while others have concerned questions in which the honor and dignity of nations have seemed to be involved. The Dogger Bank incident brought England and Russia to the verge of war, but was peacefully adjusted by the machinery originally suggested by the proceedings at The Hague. Even more dangerous as raising a question about which every nation is honorably sensitive—the right of asylum—was the dispute arising at the beginning of the present year out of the re-arrest of an Indian prisoner on French soil by the officers of an English ship. The Savarkar case was settled amicably by The Hague Tribunal in the course of a very few days.

If there could be any assurance that the Powers could be relied upon to allow serious causes of quarrel to be adjudicated by the permanent tribunal of The Hague, created at the second conference in 1907, there would be little reason to fear for the world's peace. As matters stand today, the weak point of the system is that no Power, or no great Power, is bound, or even pledged by its own promise, to submit serious disputes to arbitration. It was hoped that the Second Hague Conference would result in some common and binding agreement in this respect. Perhaps the time was not ripe. All that was done was to put on record a solemn declaration in favor of compulsory arbitration and to renew the standing invitation to individual Powers to enter into treaties with each other in favor of arbitration. Article 19 ran:

Independently of existing general or special treaties, imposing the obligation to have recourse to arbitration on the part of any of the signatory powers, these powers reserve to themselves the right to conclude, either before

the ratification of the present convention, or subsequent to that date, new agreements, general or special, with a view of extending the obligation to submit controversies to arbitration, to all cases which they consider suitable for such submission.

And it is along those lines that for the present we must look for signs of progress. The most positive result of the Second Hague Conference was a resolution accepted by all the Powers not to resort to hostilities for the enforcement of contractual debts without first submitting any disputed claim to arbitration. A year before the second conference at The Hague a remarkable treaty was arranged between Norway and Sweden. The Treaty of Karlstad, perhaps because it was between sister nations, has attracted less attention than might have been expected. None the less it represents a great advance upon anything which had gone before. It provides that all disputes not touching the vital interests of either country should be referred to the Hague court, and—this is the important clause—the question whether a given question does in fact affect the vital interests of either country was to be decided, not by the parties themselves, but by the court.

As the immediate result of the second conference at The Hague, a whole group of treaties providing for arbitration under certain conditions was negotiated. The 1908 treaty between England and the United States belonged to a common type—easy to arrange and of little practical value when arranged. It was a poor compensation for the loss of the Olney-Pauncefote agreement. That at least would have secured arbitration for all possible causes of quarrel between the two countries, even if it did not in all cases offer the prospect of a certain and binding decision. The treaty of 1908 merely provides that,

Differences which may arise of a legal nature or relating to the interpretation of treaties . . . shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two contracting States.

The scope of the second treaty had been indefinitely contracted, and, except as a sort of diplomatic germ out of which something better might develop, it was almost valueless. For the difference between the two treaties was vital. The first renounced the immediate right to appeal to arms, and bound both parties to submit their quarrels, whatever their nature, to

the decision of an impartial tribunal. The second arranged a convenient machinery for the adjustment of disputes which were not grave enough for war. If either party thought its honor involved, the quarrel at once passed beyond the scope of the treaty. Such a treaty though somberly acquiesced in at the time as the best that could be got, was a retrograde measure. It seemed to concur in the view that arbitration is suitable for trivialities, but is out of place when things that matter are in dispute. When in the feudal times the growing strength of the central power slowly forced the robber barons to surrender their right to wage private wars, there was a long period in which the right was still claimed when questions of boundaries of an estate were in issue. And to a much later period the feudal lord and the private gentleman claimed to be the sole judges when honor was impugned, and successfully asserted their right in such cases to oust the jurisdiction of the courts of the land, and to vindicate their cause with the sword. Slowly, but surely, those pretensions of a caste have been worn down, and under the steady pressure of the common sense of the people the practice of duelling—of private fighting with the intention to kill—has come to an end. It is a subject upon which the nations are not yet quite in line. In England, the man who killed his opponent in a duel would be most infallibly hanged; in other countries duels are still fought, but under conditions so thoughtfully arranged that a man may go through fifty "mortal combats" without being the worse for them. Under such circumstances, if a regrettable accident sometimes takes place, it is as much as though one of the combatants caught his death of cold through exposure to the damp air of an early morning meeting. For such an unexpected termination of the meeting none can be held seriously responsible. Unfortunately, we have not yet arrived at the same stage of progress in the management of international quarrels. We still claim the right of each to be the judge in his own case where honor or vital interest is concerned, and when wars come there is no make-believe. Still, those who note the growth of the juridical idea, and take count of the evolution which has ended serious duelling and led men to submit their honor and their characters to the decisions of judicial tribunals in actions for libel and slander and in the divorce courts, will be most certain that sooner or later the reign of law will extend further, and in the end control collective as well as private quarrels of whatever sort.

No one who has watched with care the most recent development of the arbitration movement can doubt that the trend of opinion, and especially on this continent, is now in favor of tribunals which have the character and authority of courts of law. It may be objected that strictly judicial decisions imply the sanction of force behind them, which may compel obedience. That may come, and some of us may yet live to see an international police force. But it is relevant here to point out that so far no case for the necessity of such a force has yet been made out. History is full of the stories of broken and violated treaties, but there is happily no record of the repudiation of an arbitral award. The pressure of the public opinion of the world is strong and growing stronger every day, and the risk of its displeasure will not be lightly encountered.

Meanwhile, I would draw attention in illustration of what I have called the new trend of the arbitration movement to the treaty inaugurated in May, 1908, between the five States of Central America, Guatemala, Honduras, Nicaragua, Costa Rica, and San Salvador. These five republics have combined to call into being a court of justice to

act as an arbitrator and last tribunal of appeal in all questions and controversies that may arise among the Republics of Central America, no matter what these questions and controversies may be, or what may have given rise to them, in case the respective departments for foreign affairs should not have found a common ground for an understanding.

The principal feature in the conception and plan of the Central American Court of Justice is stated to be

that it shall not at all be a mere Commission of Arbitration, but a genuine judicial tribunal, whose work shall be to sift evidence, consider arguments and pronounce judgment in all questions that may arise before it, acting, of course, in accordance with rigid justice and equity and with the principles of international law.

The new tribunal was not long in proving its usefulness. In July, 1908, it had before it a case in which Honduras made complaint that Guatemala and San Salvador were guilty of unneutral conduct in fomenting revolution within her borders. Within six months of the first citation, judgment was given and war averted.

The creators of the Central American Court quote with approval the following statement made by Mr. Elihu Root:

What we need for the further development of arbitration is the substitution of judicial action for diplomatic action, the substitution of juridical

sense of responsibility for diplomatic sense of responsibility. We need for arbitrators, not distinguished public men concerned in all the international questions of the day, but judges who will be interested only in the question appearing upon the record before them. Plainly, this end is to be attained by the establishment of a court of permanent judges, who will have no other occupation and no other interest but the exercise of the judicial faculty under the sanction of that high sense of responsibility which has made the courts of justice in the civilized nations of the world the exponents of all that is best and noblest in modern civilization.

What is the next step to be? What form is the pending treaty between the United States and the United Kingdom to assume? It is hardly too much to say that the time of the coming of the Prince of Peace depends on the answer; for the example of these two peoples will lead the world. Certainly no one will propose that the Olney-Pauncefote treaty should be revived just as it was. The world has not stood still during these fourteen years, and what was satisfying then would not satisfy now. As we have seen, the treaty of 1897 referred disputes to a court composed of nationals whose numbers varied according to the importance of the matter in dispute. But a decision was not binding, except by consent, unless it were arrived at in serious cases by a majority of five to one. In the event of failure to come to a binding award, the mediation of a third Power was to be sought before hostilities. All that seems crude today. Then there was no Hague Tribunal which now would naturally take the place of a mediating Power. But a better plan, and one which finds great favor in the United States, is one which involves the establishment of a specially constituted arbitral court, which would have the character of an actual court of law as distinguished from a court of arbitration. In a speech last June, Mr. Knox emphasized the judicial as opposed to the diplomatic character of the proposed court, which he was confident would be ultimately adopted by the nations. The United States, he said, took the advanced ground that

the judgment of an arbitration court must conform to the principles of international law and equity involved and controlling, and that where, in its opinion it is wholly clear and evident that a decision essentially fails so to conform, such decision should be open to an international judicial revision.

Such a tribunal, administering international law and adjudicating between the peoples, obviously represents an immense extension of the reign of law, and a great advance upon the methods of an ordinary court of arbitration. The principle of

arbitration by a court of nationals would find full opportunity in the settlement of ordinary differences, but in case of graver issues, or in cases in which agreement could not otherwise be reached, there would be appeal to a permanent court of arbitral justice, which would gradually, by its decisions, consolidate its own code of international law with its own rules of interpretation and procedure. The establishment of such a court would be supplemented by special treaties binding the contracting Powers to accept its decisions as final. It is impossible not to feel that Mr. Taft has an opportunity of opening a new and happier chapter in the history of the world.

There is one consideration, however, which must temper our satisfaction at the prospect of such a treaty as I have supposed. No doubt it would practically eliminate the possibility of war between the two countries, but the burden of the armed peace would remain. Great Britain does not build ships against the United States, nor is the American Government thinking of the English fleet when drawing up its naval program for the year. Let the two Powers agree unreservedly to submit all their differences to a tribunal of justice, and yet having banished the possibility of war, neither Power will feel at liberty to lay off a single ship either in the Atlantic or the Pacific. Both Powers must continue to spend millions in preparations for war by sea and land just as if no arbitration treaty had been thought of. Is there any remedy for that evil? I throw out a seed of thought to all the winds; it may fall on stony ground, or it may be choked by thorns, or the birds of the air may devour it, but if it prosper I think fair fruit may come of it. I am not going to suggest any sort of defensive alliance. But I hesitate, and the thought comes at this moment that I should be content to say: The country which within one century has from relatively humble beginnings grown to be the greatest republic the world has ever seen; the people who have not only taught but, I may truthfully say, conquered nature, who have diverted rivers, tunnelled mountains, harnessed Niagara, bound the Atlantic to the Pacific by many bands of iron and are now engaged in the Herculean task of piercing the continent, may well be trusted to find a remedy for the evil which I have mentioned.

And now, in conclusion, one word of the Dominion of Canada, of that bumptious member of the British family that lives in the house next door. Of her I have said nothing, for

this reason, that the part is included in the whole, and allow me to assure you, although it is quite unnecessary, that a part of the good old Empire we intend to remain.

I have heard it rumored here in Washington that there is some question of a reciprocity agreement being entered into between Canada and the United States. Of the political feature of such an agreement I have no mandate to speak. But if there is to be reciprocity in "natural products," I hold that among the "natural products" of this American continent, on either side of the international frontier, must be counted love of justice and fair play, and great courtesy and generosity, and kindly and neighborly feeling in abundance. In those "natural products" of America there shall surely be a perfect reciprocity between the United States and Canada. Especially shall we reciprocate every aspiration for permanent peace and good will between the peoples already united by so many common memories and common ideals, and above all by the "large music of English speech."

INTERNATIONAL CONCILIATION

LETTER
TO THE
APOSTOLIC DELEGATE TO THE UNITED STATES
OF AMERICA



BY
HIS HOLINESS POPE PIUS X

SEPTEMBER, 1911, No. 46

American Association for International Conciliation
Sub-station 84 (501 West 116th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on pp. 10 and 11.

Attention is also called to a pamphlet (not in the regular series) entitled "Arbitration between Great Britain and the United States," by His Eminence, Cardinal Gibbons, which will be sent postpaid, on request.

TO OUR VENERABLE BROTHER
DIOMEDES, TITULAR ARCHBISHOP OF LARISSA,
APOSTOLIC DELEGATE TO THE UNITED
STATES OF AMERICA, WASHINGTON

PIUS X

Venerable Brother, Health and Apostolic Benediction.

We are happy to learn from you that in the United States of America, under the leadership of men enjoying the highest authority with the people, the more judicious members of the community are fervently desirous of maintaining the advantages of international peace. To compose differences, to restrain the outbreak of hostilities, to prevent the dangers of war, to remove even the anxieties of so-called armed peace, is, indeed, most praiseworthy, and any effort in this cause, even although it may not immediately or wholly accomplish its purpose, manifests, nevertheless, a zeal which cannot but redound to the credit of its authors and be of benefit to the state. This is especially true at the present day when vast armies, instrumentalities most destructive of human life, and the advanced state of military science portend

VENERABILI FRATRI

DIOMEDI ARCHIEPISCOPO TIT. LARISSENSIUM,
DELEGATO APOSTOLICO IN FOEDERATIS
AMERICAE CIVITATIBUS,
WASHINGTONIAM.

PIUS PP. X.

Venerabilis Frater Salutem et Apostolicam Benedictionem.

Libenter abs te accepimus, auspice virorum coetu quorum summa est ad populam auctoritas, fervore in Foederatis Americae Civitatibus prudentiorum studia ad pacis commoda gentibus tuenda. Videlicet animus coniungere, hostiles continere impetus, prohibere belli pericula et ipsas amovere pacis uti aiunt armatae sollicitudines, coeptum est nobilissimum: et quid quid in hanc causam confertur operae, et si non eo proxime vel plene contingat quo consilia spectant, conatum tamen praestat qui neque auctoribus vacat laude, neque publicae rei utilitatibus. Idque hoc maxime tempore, quum et magnae copiae, et instrumenta ad interpcionem aptissima, et tam longe provecta

wars which must be a source of fear even to the most powerful rulers. Wherefore We most heartily commend the work already begun which should be approved by all good men and especially by us holding, as We do, the Supreme Pontificate of the Church, and representing Him who is both the God and the Prince of Peace; and We most gladly lend the weight of Our authority to those who are striving to realize this most beneficent purpose.

For We do not doubt that the same distinguished men who possess so much ability and such wisdom in affairs of state will construct in behalf of a struggling age a royal road for the nations leading to peace and conciliation in accordance with the laws of justice and charity, which should be sacredly observed by all. For, inasmuch as peace consists in order, who will vainly think that it can be established unless he strives with all the force within him that due respect be everywhere given to those virtues which are the principles of order and its firmest foundation?

As for the remaining aspects of the matter, We recall to mind the example of so many of Our illustrious Predecessors who, when the

rei militaris scientia bella portendunt quae vel ipsis sunt principibus potentissimis vehementer pertimoscenda. Quare gratulamur ex animo coeptum cum optimo cuique tum Nobis, prae ceteris, probandum qui, adepti summam Ecclesiae Pontificatum vices gerimus Illius qui PACIS et PRINCEPS et DEUS EST: et ad illud, saluberrimo consilio, contendentibus Nostrae suffragio auctoritatis adinugimur libentissime. Neque enim dubium est Nobis quin iidem praestantes viri in quibus tanta est ingenii vis prudentiaeque civilis, velint ad pacem laboranti saeculo conciliandam regiam gentibus sternere viam in iustitiae et caritatis legibus sancte ab omnibus servandis. Pacem enim, hoc ipso quod ordine continetur, frustra quis sibi confidit stabiliendam, nisi pro viribus contendat ut iis suis ubique sit honos virtutibus quae ordinis sunt principia ac fundamentum omnium maximum? Ceterum, memoria repetentes exempla tot illustrium Decessorum Nostrorum qui, quando per tempora licuit, hoc etiam ex capite, de gentium humanitate, de

condition of the times permitted, rendered, in this very matter also, the most signal service to the cause of humanity and to the stability of governments; but since the present age allows Us to aid in this cause only by pious prayers to God, We, therefore, most earnestly pray God, who knows the hearts of men and inclines them as He wills, that He may be gracious to those who are furthering peace amongst the peoples and may grant to the nations which with united purpose are laboring to this end that the destruction of war and its disasters being averted, they may at length find repose in the beauty of peace.

As a pledge of divine favor and a proof of Our benevolence, We most lovingly grant you, Venerable Brother, the Apostolic Benediction.

Given at Rome at St. Peter's, the eleventh of June, 1911, and the eighth year of Our Pontificate.

(Signed)

PIUS X

firmitate imperiorum tam egregie meruerunt,
quandoquidem aliud nihil hac in re praestare
aetos sinat quam pias ad Deum preces, Deum,
qui corda noscit hominum et ea quocumque
vult inclinat, instantissime adprecamur ut iis
propitius adsit qui pacem populis conciliare
student. gentibus vero quae pacem concordi
voto expetunt, tribuere benignus velit ut, amotis
belli ac desidii calamitatibus, in pulcritudine
pacis tandem aliquando conquiescant Auspicem
divinorum munerum Nostraequae testem bene-
volentiae Apostolicam Benedictionem tibi,
Venerabilis Frater, peramanter in Domino
impertimus

Datum Romae apud Sanctum Petrum die
XI Junii MCMXI Pontificatus Nostri anno
octavol.

PIUS PP. X.

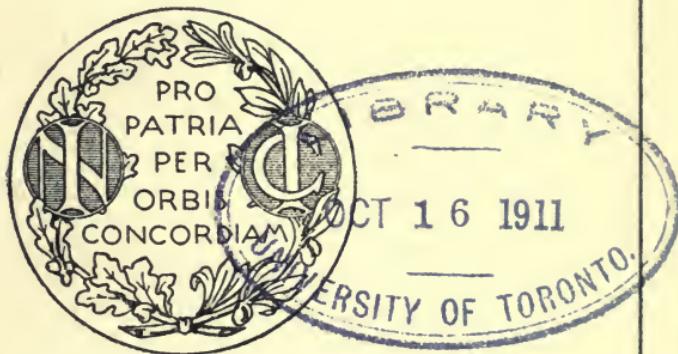
LIST OF PUBLICATIONS

Up to the limit of the editions printed, any one of the following will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y. :

1. Program of the Association, Baron d'Estournelles de Constant. April, 1907.
2. Results of the National Arbitration and Peace Congress, by Andrew Carnegie. April, 1907.
3. A League of Peace, by Andrew Carnegie. November, 1907.
4. The results of the Second Hague Conference, by Baron d'Estournelles de Constant and Hon. David Jayne Hill. December, 1907.
5. The Work of the Second Hague Conference, by James Brown Scott. January, 1908.
6. Possibilities of Intellectual Co-operation Between North and South America, by L. S. Rowe. April, 1908.
7. America and Japan, by George Trumbull Ladd. June, 1908.
8. The Sanction of International Law, by Elihu Root. July, 1908.
9. The United States and France, by Barrett Wendell. August, 1908.
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25. Cecil Rhodes and His Scholars as Factors in International Conciliation by F. J. Wylie. December, 1909.
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27. The Moral Equivalent of War, by William James. February, 1910.

INTERNATIONAL CONCILIATION

THE EXISTING ELEMENTS OF
A CONSTITUTION OF THE UNITED STATES
OF THE WORLD



BY

H. LA FONTAINE

Senator of Belgium, President of International Peace Bureau, Berne

OCTOBER, 1911, No. 47

American Association for International Conciliation
Sub-station 84 (501 West 116th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on pp. 14 and 15.

THE EXISTING ELEMENTS OF A CONSTITUTION OF THE UNITED STATES OF THE WORLD

Since years ago, the idea has been expressed that the nations of the earth could, by combining together, organize—after the fashion of national organization—an international legislature, an international judicature, an international executive. Let us see what grounds there are to-day for thinking that it would be possible to formulate a “Constitution of the United States of the World.”

It is evident that the constituent assembly, charged with promulgating such a constitution, could only hope for success by co-ordinating already existing materials formed under the pressure of circumstances. It will be the purpose of this brief sketch to show that the essential elements of such an international constitutional organization already exist. Taking up first the legislative organization, can we not say that the Interparliamentary Union and the Peace Conference form the germ of two branches of an international legislature? Is not the International Court of Arbitration at The Hague the germ of an international judicature? Can we not consider the international offices now acting throughout the world as the constitutive parts of a world's administration?

Organization of the Legislature:

If we examine how the Interparliamentary Union was formed and has developed, we can foresee its future evolution. At its beginning, in 1889, it was simply an assembly of some parliamentarians especially interested in giving their support to the arbitration movement. Little by little the number of Parliaments

represented has increased, and the number of members inscribed has grown to three thousand, out of a total number of twelve thousand Parliamentarians of the various constitutional countries of the world. At present the Interparliamentary Bureau is interested in the formation of affiliated groups in every legislative body in the world, and is discussing the question of the participation of self-governing colonies, in order that the Union may be truly representative of all Parliaments. In 1904 the proposition to give the Interparliamentary Union the character of a real international legislature was introduced on the initiative of the American group. A commission for reorganization was appointed, which has been occupied since that time with the very important problem of extending the functions of the Union to other questions than arbitration and international law, especially the questions involving matters of general interest for mankind.

In regard to the Peace Conference, there are three facts which point to its development into an international upper house. First, it has contained, in accordance with its diplomatic character, an equal representation of States, such as is the practice in the United States and in the Swiss Confederation for the composition of the upper house of the legislature. Second, the principle of its automatic assembling has been established. Third, the right of initiative, contrary to diplomatic usage, has been recognized by its members: at the last session there were introduced in the course of the debate various questions such as disarmament, obligatory arbitration and a permanent tribunal, which were not contained in the program adopted by the governments. There should be noticed too a gradual trend toward the abandonment of the principle of unanimity in the Conference, which has before to-day been the rule in all similar assemblies. This is evidently a delicate question, for the principle of the autonomy of States puts an obstacle in the way

of the imposition of the will of the majority upon the minority. There can be little doubt, however, that the doctrine of the independence of States is undergoing an inevitable transformation. Most of the States have concluded treaties which bind them and limit their independence to a greater or less degree, and little by little the idea of the *interdependence* of States is coming to prevail.

It will doubtless be necessary to limit wisely the matters which will be within the competence of the International Legislature, and to admit, perhaps, a system of temporary or collective veto. The necessary transitions can be made. It is enough for us here that the International Parliament is no longer in the domain of pure Utopia, but is in practical process of formation.

Organization of the Judicature:

The action of the Peace Conference of 1907 on the question indicates the existence of a widespread international sentiment in favor of a permanent Supreme Court. International arbitration has been a customary institution for more than a century, but its applications have become increasingly numerous and important. The development from 1794 to 1900 has been as follows: from 1794-1820, fifteen cases; 1821-1840, eight cases; 1841-1860, twenty cases; 1861-1880, forty-four cases; 1881-1900, ninety cases. After several attempts, in 1882 and 1883, to group certain States of Central and South America into a union for arbitration, there was finally called a Pan-American Conference in Mexico, in 1902, which resulted in the conclusion of a treaty of arbitration uniting the different States of North and South America. The propaganda in Europe since 1889 has been conducted by means of the Universal Congresses of Peace and the Interparliamentary Union. The Institute of International Law drew up a project for arbitral procedure in 1875. Another project was adopted by the

Universal Congress of Peace at Antwerp, in 1894. The first Peace Conference in 1899 gave to these efforts an official consummation in the "Convention for the Pacific Settlement of International Disputes," adopted by the twenty-seven States represented there, and, after some modifications, by the forty-five States represented in 1907. But although this Convention determined the arbitral procedure, it left the Court a mere panel, and not a permanent tribunal. We still remember the disdain with which the governments ignored the new jurisdiction, until the day when the United States and Mexico decided to have recourse to it.

The second Peace Conference in 1907 was to affirm more frankly the desire of the majority of the States to give their international judicature a permanent and stable character. The creation of the International Prize Court, a tribunal of appeal to be called automatically, with direct power of summons and the right of deciding cases by default, constituted an act of considerable boldness and significance. The next step was to institute a permanent Supreme Court, to judge not only conflicts arising on occasions of operations of war, but competent to judge in all conflicts arising in times of peace. We know the complete project was adopted, and only stranded on the question of the choice of judges. The delegates from every Power but Belgium, Roumania, Sweden, Switzerland, Venezuela and Uruguay recommended to the Signatory Powers the adoption of the project. It would be safe to affirm that the adoption will be an accomplished fact at the Third Conference in 1915.

With the formation of an international judiciary power there is directly connected the question of extending the principle of arbitration. The idea of obligatory arbitration was recommended by Russia in 1899. Since 1903 many permanent treaties of arbitration (to 1910, 115) have been concluded between States of the most widely divergent character. A

formal proposal to make arbitration compulsory was introduced at the Second Conference, but met with the opposition of the delegates from Germany, Austria-Hungary, Belgium, Bulgaria, Greece, Montenegro, Roumania, Switzerland and Turkey (Italy, Japan and Luxembourg not voting). One of the difficulties which arose was the drawing up of the list of cases in which the honor and vital interest of the States were not concerned. Certain States, however, have not hesitated to conclude treaties covering all cases. Denmark, Holland, Argentina and Italy have already concluded such conventions. Since that time the dispute between Germany and France over the Casablanca incident, and its submission to arbitration; the movement for a permanent and general arbitration treaty between the United States and Great Britain, indicate a profound modification in international sentiment on the subject. We may hope that in 1915 the objections to the formation of an absolutely universal arbitral union will have no more than a historical value. Already the Palace of Peace, which is to shelter the international judicature, is secured. Time will show that the confidence of the wise philanthropist donor in the wisdom of nations has not been misplaced.

Administration Organization :

The work of organization of international administration has already attained imposing proportions, particularly in what concerns the development and simplification of means of communication, an essential condition for any kind of international collaboration. In the matter of posts and telegraphs we can almost say that the world forms but one single territory. The idea of an international postal agreement was first agitated in 1862; it led to the creation of the Universal Postal Union in 1874. The Universal Telegraph Union was formed in 1865. Finally in 1906 appeared the Universal Wireless Telegraph Union. Bureaux established at Berne are engaged not only in assuring

regular communication between the administrative services in the different countries, but also in the publication of a journal, preparation of a map of the world, unification of rules, collection of general statistics, etc. Other reforms of a universal nature are due to their initiative. The Universal Postal Union has been responsible for the preparation of a card of identity which contains the germ of an idea for a universal system; the Universal Telegraph Union has published an international vocabulary, the last edition of which contained 1,900,000 words.

Not only has the circulation of ideas been provided for, but the transportation of passengers and freight as well has produced international agreements. A pan-European freight convention was signed in 1886, but did not go into effect until 1893. This will soon be extended to include Africa and Asia, and was lastly altered to include passenger transportation as well as freight. Agreements have also been signed which permit the organization by private initiative of an international express service, whose trains already traverse Europe and Northern Asia. There should be mentioned too the vast trans-American project, designed to traverse America from Patagonia to Alaska; the trans-African from Cairo to the Cape, and the trans-mondial, from Gibraltar or Cadiz, crossing the Behring Strait and connecting with the trans-American line. The importance of facilitating and accelerating travel and of avoiding useless transhipments of freight has made necessary the standardizing of roadbed and rolling stock and the other material conditions of transportation.

Maritime transportation has also been regulated by international agreements. In order to prevent collisions and fouling, there have been formulated a code of rules of the road and an international code of maritime signals, which have become, after being promulgated by Great Britain, the international regulations tacitly adopted by all the maritime countries.

This is the only domain where a unanimous agreement has been established without diplomatic intervention. An International Union for the Publication of Customs Tariffs has been formed in recognition of the fact that the rapid, complete and certain knowledge of tariffs of the different countries has become an indispensable condition of commercial relations. Nearly all the States and the self-governing colonies have joined this union.

The unification of weights and measures and of money has become more and more a matter of urgency. The diplomatic conference on weights and measures which assembled at Paris in 1875 was completely successful in its task. The adoption of the metre as the basis of systems of measurement the most diverse has become almost universal. At Sevres there has been established an international bureau for the keeping of the standard measures. Not so successful have been the efforts for the formation of an international monetary union; but local unions—the Latin monetary union of 1865, the Scandinavian Union of 1874—have come into being.

The need of protection of the public health has given rise to a series of international measures. Some of these consist in the unification of diverse national legislation—in matters such as the African slave trade, the trade in “white slaves,” the protection of birds useful to agriculture, the conservation of certain African species of animals and plants, the war against phylloxera, the prohibition in Africa of the sale of firearms. In order to further the first of these aims, an International Maritime Bureau has been established at Zanzibar and a central Anti-Slave Bureau at Brussels. Sanitary measures are directed particularly against cholera, plague and yellow fever. Since 1851 a number of sanitary conferences has assembled, and their decisions have found definite expression in a sanitary code adopted in 1903. There has been established also a maritime council for sanitation and quarantine

in Egypt and a Superior Council of Health in Constantinople. In 1907 an international Office of Hygiene was founded at Paris. The American countries have also organized conventions on health and sanitation, and a code was adopted in 1904 similar to that drawn up in Paris in the preceding year. In 1902 there was founded at Washington an international Bureau of Health. The Sanitary Convention of Mexico requested this Bureau in 1907 to become affiliated with the office at Paris, and it is probable that some such collaboration will be accomplished and the struggle against epidemics become truly international. To these various institutions might well be added an international bureau for the standardization of drugs.

In the domain of private international law, many efforts have been made to substitute an international code for the diverse national legislation on many important matters and to fix rules for the settlement of disputes. The Congress of Montevideo in 1889, the conferences at the Hague in 1893, 1894, 1900 and 1904 have produced conventions most of which have been universally ratified.

In commercial matters, diversities in international exchange have given way to unified international agreements. Since 1883 there has been progress in the unification of rules governing the issuance of industrial patents, and since 1896 in matters of artistic and literary copyrights. Two bureaus have been organized to centralize information and assure its publication, as well as to study the question in all its bearings.

In the domain of economics, the demand for labor regulation has resulted in the establishment of an International Office of Labor at Basel. The realization of the importance of following the fluctuations of agricultural production has caused the creation of the International Institute of Agriculture at Rome. There should also be mentioned in this connection the Sugar Union, with headquarters at Brussels.

Finally, in the domain of scientific research, the States of the world have assured the organization of collective service. There have been created successively the International Geodetical Association, the International Seismological Association, and the permanent International Council for Ocean Exploration, with headquarters at Berlin, Strassburg and Copenhagen, respectively.

International Budget:

This summary review of the principal international institutions of administration already created suggests a grouping into departments, and the tracing in outline of an International Budget:

Department of Transportation:

Universal Postal Bureau.....	\$25,000
International Telegraph Bureau.....	20,000
International Bureau of Railways	20,000

Department of Agriculture, Industry and Labor:

International Institute of Agriculture.	154,000
International Labor Office.....	14,000

Department of Commerce, Colonization and Emigration:

International Colonial Institute	2,000
International Bureau of Weights and Measures.....	15,000
International Bureau for the Repression of the Slave Trade	3,000
International Bureau for the Publication of Customs Tariffs.....	25,000

Department of Hygiene and Police:

International Office of Public Hygiene	30,000
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Department of Sciences and Arts:

International Geodetical Bureau.....	\$4,000
International Seismological Bureau....	4,000
International Bureau for Ocean Exploration	20,000
International Exchange Service.....	22,000
International Scientific Catalogue....	35,000

Department of Justice:

Bureau of the International Court of Arbitration	6,000
International Bureau of Industrial Patents.....	12,000
International Bureau of Copyrights...	12,000

This table shows that the administrative expenses of the world at the present moment hardly exceed \$400,000, or one-quarter of one per cent. of the two billion dollars now devoted to military expenses alone.

Auxiliary Organizations:

Our sketch of the international legislative, judicial, and administrative organization would be incomplete if we omitted mention of certain agencies which, while less universal than those we have mentioned, yet make powerfully towards a greater internationalism. Such are the Pan-American Conferences, and the Bureau of American Republics. In America there has grown up a continental internationalism which has borne fruit in many remarkable treaties, all the more remarkable because they have been made between nations largely composed of emigrants who have come from the most widely separated parts of the globe. It is to be hoped that this example will inspire the creation of a Pan-European bureau, and eventually of a Pan-Asiatic, a Pan-Australian and a Pan-African, with the regular calling of continental conferences. Private initiative has already made an attempt towards a World-Bureau in the shape of a

Central Office of International Associations, created in 1907, at Brussels, and the calling in May, 1910, of the first World Congress of International Associations.

Significant too is the formation, in each of the American countries, of a Pan-American Commission, whose mission is to draw up recommendations, to be submitted at the conference, for the approval of the other countries, and to see that the decisions approved by the conferences are carried out in their respective country. In this way it seems useful to create in every country national centers of internationalism, which will collaborate with each other, and awake the national conscience at home toward the movement which is carrying the world forward to a universal collaboration.

More significant too are the diverse organisms created in diverse countries. The Congress of the United States has adopted a motion to name a commission of five members to secure—by co-operation with similar commissions in other countries—a limitation of armaments, and the formation of a collective force. In France the Minister of Foreign Affairs has a department for following all the manifestations of internationalism. In Belgium a parliamentary commission has been appointed for a similar purpose. All these facts are signs of the times, for they indicate that governments and parliaments, whose support is of course indispensable to the success and even propagation of international sentiment, are becoming actively interested in the subject.

From this brief sketch it is evident that not only the central organization of the world, but also the secondary agencies, upon which such an organization must depend, are forming spontaneously, and can with little effort be integrated into a complete whole. Rarely has a phenomenon more magnificent or reassuring been presented to the meditations of men; rarely has a work more noble been offered to the activities of men of good will.

H. LA FONTAINE

LIST OF PUBLICATIONS

Up to the limit of the editions printed, any one of the following will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y. :

1. Program of the Association, Baron d'Estournelles de Constant. April, 1907.
2. Results of the National Arbitration and Peace Congress, by Andrew Carnegie. April, 1907.
3. A League of Peace, by Andrew Carnegie. November, 1907.
4. The results of the Second Hague Conference, by Baron d'Estournelles de Constant and Hon. David Jayne Hill. December, 1907.
5. The Work of the Second Hague Conference, by James Brown Scott. January, 1908.
6. Possibilities of Intellectual Co-operation Between North and South America, by L. S. Rowe. April, 1908.
7. America and Japan, by George Trumbull Ladd. June, 1908.
8. The Sanction of International Law, by Elihu Root. July, 1908.
9. The United States and France, by Barrett Wendell. August, 1908.
10. The Approach of the Two Americas, by Joaquim Nabuco. Sept., 1908.
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26. The East and the West, by Seth Low. January, 1910.
27. The Moral Equivalent of War, by William James. February, 1910.
28. International Unity, by Philander C. Knox. March, 1910.
The United States and Australia, by Percival R. Cole. March, 1910.

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INTERNATIONAL CONCILIATION

SPECIAL BULLETIN

GREAT BRITAIN AND GERMANY

A STUDY IN NATIONAL CHARACTERISTICS



BY

THE RIGHT HONORABLE VISCOUNT HALDANE
BRITISH SECRETARY OF STATE FOR WAR

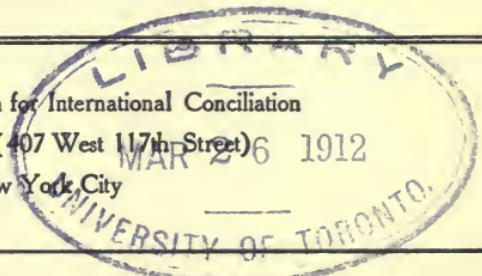
MARCH, 1912

No. 47A.

American Association for International Conciliation

Sub-station 84 (407 West 117th Street) MAR 26 1912

New York City



INTRODUCTORY

In response to many requests, the Association for International Conciliation takes pleasure in printing for circulation in the United States a limited edition of the important address, "Great Britain and Germany; A Study in National Characteristics," delivered by Viscount Haldane at the University of Oxford, on August 3, 1911. This address was made at a time when public opinion, both in Great Britain and in Germany, was in an excited state. Revealing as it did that an influential member of the British Cabinet had a keen and sympathetic insight into the life and spirit of the German people, it seemed to the Association for International Conciliation that the address should be brought promptly to the attention of the German reading public. Through the coöperation and under the supervision of Mr. Alfred H. Fried, of Vienna, the address was translated into German and a very large edition of it was distributed throughout Germany. There is every reason to believe that the effect of this action was helpful to the cause of peace and international good will.

NICHOLAS MURRAY BUTLER

March 1, 1912.

GREAT BRITAIN AND GERMANY

It was not without hesitation that I accepted the invitation to speak to you on this occasion. It is never easy to make a satisfactory appreciation of a country to which one stands in the relation of a foreigner. Those who try are sure to misjudge much and to miss more. Germany, moreover, is for us Britons, owing to reasons which I shall try to explain, a specially difficult country to understand. Its people possess traits so like those of our own that we are apt to overlook those other traits in which they are profoundly unlike. Hence arise misinterpretations and disappointments on both sides of the German Ocean.

Nevertheless, a period in history has arrived when it becomes the duty of public men in each country to endeavor to follow and fathom the currents of public life and opinion in the other. To this end the study of national spirit is essential. How often have I seen in the newspapers of both Germany and England articles which missed the point and attributed unreal motives, simply because the writers were wanting in knowledge! And what is true of journalists may be true even of statesmen.

In Oxford people sometimes dare to use language which they would not venture on in Parliament. Moreover, some of you who are listening are Germans and professors besides. I will, therefore, take my life in my hand, and suggest to you a racial difference in habit of mind, to be stated thus: The Englishman acts *der Vorstellung nach*. The German *dem Begriffe nach*. The Englishman has, less often than the German, formed in his mind an abstract principle or plan before he moves. This is so partly by habit and partly by choice. It is the outcome of his characteristic individualism, and experience has taught him that it often proves a source of strength. But it not infrequently proves a source of weakness. He constantly finds the path he has entered on

blocked by obstacles which he might have foreseen. "*Erst wägen dann wagen*" is a maxim too valuable in practice to be safely neglected. It may sometimes paralyze action in this world of the contingent and unforeseen. But those who practice it know where they stand, if they do not always know where to move.

Of course people who by habit of mind act in these different fashions are sure to misunderstand each other. The effort that is requisite, even when they most wish to put themselves at the other point of view, is for the great majority too severe to be long sustained.

The divergence in mental temperament is embarrassing in itself. And it is made yet more embarrassing by another fact. We in this country, and I am not sure that the same is not true of our German cousins, are a little unimaginative about our neighbors. Our "*paedagogischer Zug*" is sometimes provoking. The lesson which Matthew Arnold sought to teach his fellow citizens here when he published "*Friendship's Garland*" forty years ago has not yet been widely learned. We used to have friction on this account with the French, and, but for circumstances, we might have it still. We do sometimes have it with the Germans because the circumstances happen to be not quite so favorable. It is, therefore, all the more desirable that we should take pains to get insight into the habits of thought of a great and practical nation with which we are being brought into an ever increasing contact, and in what I have to say to you to-night I will try to contribute something, however small, to the too contracted fund of the necessary knowledge. I propose to devote the bulk of this paper to an attempt to trace the growth and meaning of what seems to me to be the German habit of mind, and to a description of the reasons why the outlook of Germany is what it is to-day. The narrative is not only a deeply interesting one, but a record which confers a title to high distinction in the world's history, even for a nation so great in other respects. It

is, moreover, a narrative not the less striking because the changes it records all took place within a comparatively short period.

THE FOUNDATIONS OF GERMAN PRACTICAL LIFE

The practical life of the Germany of to-day rests, far more than does that of Great Britain, on abstract and theoretical foundations. To understand it we must examine its intellectual development, and for the history of the intellectual development of German life the Reformation is a cardinal fact. Luther led the uprising of the spirit of liberty of conscience against the then abstract and hardly human domination of the Church. He accomplished for a large part of what is to-day Germany the triumph of the individual over an organization which had for the time being outgrown its mission and deteriorated into what was mechanical. But the price of Luther's victory had to be paid. You cannot set thought free for certain purposes only. The light of inquiry presently began to be turned in upon the foundations of Luther's own faith. That faith rested on grounds of a subjective character, and its authority was based on feeling. Now the history of the intellectual development of the world shows that it has never been safe to endeavor to divorce feeling from knowledge. The effort is constantly being renewed, and to-day even M. Bergson, the latest and most brilliant exponent of the attempt to assign a secondary place to knowledge and to bring back the real to the felt, seems to me to invite the inquirer to travel along a dubious path. To try to accomplish, what he, by the way, is careful not to attempt, the discovery of a safe and permanent foundation for faith in what is wholly divorced from reason, is from a scientific point of view to court speedy failure. This opinion has always been strongly held in Germany, and it was slowly but surely brought to bear on the Protestantism of Luther. That Protestantism gradually ac-

quired, in the minds of educated men, a negative character. It was recognized as a legitimate and necessary protest against the doctrine of the absolute authority of a Church. But it was also pronounced to be the beginning only and not the end of wisdom. The history of Protestantism, and of the sects into which it has broken itself up, show that it is not enough to reject the doctrine of external authority, but that the authority of a general system based on knowledge, however difficult it may be to find such a system, has to be sought for. When the Elector managed in 1529 to bring together in the conference at Marburg Luther and Zwingli, believing that the German and Swiss parties in the Reformation movement would unite their forces, he proved to be wrong. They got very near each other in the course of the conference, so far as good feeling went, and sufficiently near in words. But there was no real common basis. The historian tells us how, at the end, Luther drew back, and refused to shake hands with the Swiss leader—"Ye are," he said, "of a different spirit from us."

It was therefore natural that with a reflective people like the Germans a definite movement should follow that of the Reformation, a movement directed to the discovery of a stable basis on which religion might rest, a basis which should afford room for science and religion alike. The sense of this necessity became, on its subjective side, apparent in such writings as that of Lessing's "Nathan the Wise." On the side of abstract knowledge we see it begin in the metaphysics of the pre-Kantian period, of the period of such writers as Wolf, and in the theological Rationalism, which was its counterpart, of such books as the *Wolfenbüttel Fragments*. But the mere reaction from the subjective, on which alone Luther had endeavored to base the claim to authority of the Bible, went too far to be enduring. The eighteenth century was a dry period for Germany until a second great movement arose.

HEINE ON LUTHER

One of the acutest of modern critics, a critic whose capricious humor obscured his serious side, has traced the relation of the Reformation to this movement. Heine, who knew more about great things than people give him credit for, sums up the progress in this period. Of Luther he tells us that through him Germany gained freedom of thought. But he adds that Luther gave Germany not only freedom of thought but also the means of movement. To the spirit he gave a body, to the thought he gave words; he created the German language by his translation of the Bible. And even more remarkable, he says, were Luther's songs. Sometimes they resemble a flower that grows on a rocky crag, or again a ray of moonlight trembling over a restless sea. And sometimes he sings to stimulate the courage of his followers and inflame himself to the fierce rage of battle. He refers, no doubt, to the well known "Ein' feste Burg ist unser Gott," when he says that a true battle song was the martial strain with which Luther and his followers marched into Worms. The old Cathedral trembled at those unwonted tones, and the ravens, in their dark nests in the steeple, started with affright. That song, the Marseillaise of the Reformation, preserves to this day its inspiriting power. But, as Heine tells us, the spirit that Luther enchain'd, could not have limits set to its power. Reason is now man's sole lamp, and conscience his only staff in the dark mazes of life. Man now stands alone, face to face with his Creator, and chants his songs to Him. Hence this literary epoch opens with hymns. And even later, when it becomes secular, the most intimate self consciousness, the feeling of personality, rules throughout. Poetry is no longer objective, epic and naïve, but subjective, lyric, and reflective. At this stage Heine brings a new figure on to the scene. Since Luther, he thinks, Germany has produced no greater and better man than

Gotthold Ephraim Lessing. "These two are our pride and our joy. In the troubles of the present we look back at their consoling figures, and they answer with a look full of bright promise. The third man will come also, will perfect what Luther began and what Lessing carried on—the third Liberator." Like Luther, Lessing's achievements consisted not only in effecting something definite, but in agitating the German people to its depths, and in awakening through his criticism and polemics a wholesome intellectual activity. He was the vivifying critic of his time, and his whole life was a polemic. His insight made itself felt throughout the widest range of thought and feeling—in religion, in science, and in art. Lessing, declares Heine, continued the work of Luther. After Luther had freed Germany from the yoke of tradition and had exalted the Bible as the only wellspring of Christianity, there ensued a rigid word service, and the letter of the Bible ruled just as tyrannically as once did tradition. Lessing contributed the most to the emancipation from the tyranny of the letter. His tribune was art, for when he was excluded from the pulpit or the chair he sprang on to the stage, speaking out more boldly, and gaining a more numerous audience.

HEINE ON KANT

In the year of his death, 1781, there appeared a book from the pen of a still more profound revolutionary. In that year Kant published at Königsberg the "Critique of Pure Reason." Heine likens the intellectual revolution which this book produced to the material revolution in France, and he compares, in his own fashion, Kant to Robespierre. "On both sides of the Rhine we behold the same rupture with the past; it is loudly proclaimed that all reverence for tradition is at an end. As in France no privilege, so in Germany no thought is tolerated without proving its right to exist; nothing is taken for granted. And as in France fell the Monarchy, the keystone of the

old social system, so in Germany fell theism, the key-stone of the intellectual *ancien régime*. It is said that the spirits of darkness tremble with affright when they behold the sword of an executioner. How, then, must they stand aghast when confronted with Kant's 'Critique of Pure Reason'! The book is the sword with which in Germany theism was decapitated. To be candid, you French are tame and moderate compared with us Germans. At most you have slain a King, and he had already lost his head before he was beheaded." Then Heine draws a picture of Kant, with his bourgeois and methodical habits, and speaks of the strange contrast between the outer life of the man and his destructive, world-convulsing thoughts. Had the citizens of Königsberg surmised the whole significance of these thoughts they would have felt a more profound awe in the presence of this man than in that of an executioner. But the good people saw in him nothing but a professor of philosophy." "Nature," concludes Heine, "had intended both Robespierre and Kant to weigh out sugar and coffee, but fate willed it otherwise, and into the scales of one it laid a King, into those of the other a God. And they both weighed correctly."

The view of Kant's teaching which Heine suggests is of course deficient. Kant was constructive as well as critical, and he laid the foundations of a far greater conception of God than any that he destroyed. The figure of Immanuel Kant indeed is one of the noblest in the history of spiritual life on its moral as well as on its intellectual side. His philosophy was far-reaching, alike in practice and in theory. For he completely divided the universe into two aspects, that of the world of actual experience, where necessity reigned and science held its sway, and the other aspect of the moral world, where the cardinal principle was that of complete freedom and complete responsibility—"Thou canst because thou oughtst." Between science and religion there could be no conflict, for

each had its own sphere, and the two spheres were absolutely and scientifically marked off by a boundary line which could not really be crossed. But in the hands of Kant this distinction was to break down, and in the third of his Critiques—that of Judgment—he was driven to admit that, confronted by even that aspect of things with which experience through the senses furnishes us, we find ourselves driven beyond the categories of mechanism to the qualification of causes by ends, and perhaps even by the supreme and ultimate fact of self-consciousness. Yet although this somewhat grudging admission was to be seized on by his successors, the value of his achievement in the Critical Philosophy was not thereby diminished. He had succeeded in raising the entire level—in bringing life into what had been a collection of dry bones. He had restored the worlds of moral obligation and of beauty to their positions as real, though real in a different way from the world of mechanism. He had made for religion a place—within somewhat narrow limits of pure reason it is true—but still a place where it could find a firm foundation and base a claim to authority which science could not shake. And by doing all this he had made possible a further great work, that of the poets and the idealists who were to dominate German thought for the first half of the nineteenth century, and to exercise a profound influence beyond the confines of Germany.

THE SUBSEQUENT DEVELOPMENT OF GERMAN PHILOSOPHY

In the hands of Fichte, Schelling, and finally of Hegel, the Kantian philosophy was profoundly transformed. A more widely embracing meaning was given to self-consciousness. Within its closed circle the entire universe was brought as under a supreme and final conception, and brought as a connected whole. Thought and feeling were no longer separated as though independent existences, but were dis-

played as partial aspects of a single movement of mind. The categories of intelligence were extended in their scope and given an organic relation, co-extensive with the entire content of self-consciousness, in which they found their meaning and completion. The object world was looked on as real in the same sense as the subject world, and both as arising by distinction within self-consciousness itself. God was regarded as imminent, as a spirit to be worshiped in spirit and in truth, and not as an unknowable First Cause. Science, morality, art, religion, were all assigned to their parts in the movement of divine and infinite self-consciousness which was ever realizing itself in finite forms such as that of the individual man. Yet that divine and infinite self-consciousness was shown to imply for its realization the form of the finite, just as, on its part, the finite had its foundation and reality in God and God alone. Because the higher categories of self-consciousness, outside of which there was no meaning, even for God himself, were above those of the mechanism of which they were at once the completion as well as the presupposition, no question of freedom arose. For the ultimate reality was spiritual, and it is of the essence of spirit to be free.

Such was the movement of the early part of the nineteenth century on its philosophical side. It was carried no doubt to great lengths and excesses. But it was destined to influence history profoundly, and, as a first step, a great practical proof of the reality of its foundations appeared almost at once in the world of art. The spirit of idealism was presently found to be one which had extended beyond the philosophers. Goethe and Schiller practiced and taught in another shape the same great principles. They too passed beyond Kant, and passed in the same direction as his successors in the schools of philosophy. Now that direction was not, as is often erroneously said, from the living and concrete to the abstract and lifeless. It has frequently been made a reproach, not

only against German philosophy, but against Goethe himself, that the highest and most abiding element in human activity, the spiritual and living, was ignored in the teaching of this time. To-day the reproach has been brought forward, as regards German idealism generally, in a definite form, and before an audience such as this the reproach ought not to be passed by in silence. The late Professor James of Harvard and M. Bergson, already referred to, and one of the most distinguished of living philosophers, have elaborated it. In two of his books, "Les données immédiates de la Conscience" and "L'Evolution Creatrice," M. Bergson has drawn a sharp distinction between knowledge, which he declares to be always abstract and confined to representation of what are really spatial relations, and the direct consciousness of creative evolution in a real time. To the latter he refers us for the "elan" which is the true explanation of the development both of the living world and of conscious mind itself. Bergson's doctrine has been laid hold of as something wholly new, and as putting investigation on a quite fresh track. And his doctrine is stated not only in a new form, but with a wealth of scientific knowledge and a lucidity of expression which justify for it a claim to genuine originality. Yet the doctrine of an inherent impulse, such as this great French thinker seeks to establish, is in itself no new one. German idealism itself at one time laid great emphasis on it. Schopenhauer has left no school to carry on his teaching and his books are to-day much less in evidence than they once were. But he, too, found in knowledge but a derivative phenomenon of a deeper lying *nexus*, which underlay the nature of things and constituted their ultimate reality. Unlike Bergson he considered Time to be merely a subjective form. In agreement with Bergson, he regarded abstract Space as being little more. But for him, also, the ultimately real, that into which all else can be resolved, while it is itself incapable of being resolved at all, was not knowledge. Like Kant, whose true

successor he claimed to be, he declined to recognize the domain of knowledge as absolute, but he went further and resolved it into something deeper than itself. This he called "WILL," and yet in the end he was able to tell us of its nature, of the *nisus* or striving of Will, no more than Bergson has been able to tell us of his "creative impulse." It is the less curious that German idealism should have assigned, in the minds of certain of its disciples, a subordinate reality to knowledge, when we reflect that not only had Kant suggested an awareness of a raw material of sensation as an irreducible element in cognition, but that Schelling and his school had, later on, found the key to the discovery of the nature of ultimate reality, not in knowledge, but in what Schelling called "Intellectual Intuition," and in the somewhat obscure notion of an Absolute which Hegel was presently to deride as "the night in which all cows look black."

THE REAL CHARACTER OF GERMAN INTELLECTUALISM

It has been said with truth that wherever there arises a great movement such as that of German idealism, it is in danger, if its preachers do not watch closely, of degenerating into an abstract intellectualism, a tendency to reduce the being of the universe to what has been called "a ballet of bloodless categories." The strength of such intellectualism is that it insists resolutely, as against such critics as Schelling and Schopenhauer and M. Bergson alike, that words are useless unless an exact meaning can be attached to them, and that such a meaning can be assigned only in terms of knowledge. *Esse* becomes in the end co-extensive with *intelligi*. But, on the other hand, the weakness of such idealism is that in the treatment of it by any but the greatest writers it tends to get out of hand. Apparently it need not do so. In its highest forms German idealism did not separate thought from feeling as if they were separate existences. On the contrary they were for it

only correlative aspects of one single reality, the actual and living content of self-consciousness. In no form of self-conscious activity was identity to be found except in and through difference. Thought is no mere faculty of abstract identification. Hegel himself adopted the supposed Aristotelian maxim "Nihil est in intellectu quod non fuerit in sensu." "The contents of our consciousness," he says, "remain one and the same, whether they are felt, seen, represented, or willed, and whether they are merely felt or felt with an admixture of thoughts, or merely and simply thought." We thus reach a conclusion which will prove to be of importance for the general purpose of this address. The true tendency of the idealism of Germany in the early part of the nineteenth century was in the direction of regarding the real as concrete and living, and as immediate for consciousness just as much as mediated in reflection. It is, therefore, not surprising that, to begin with, in the great poets of the period we find this characteristic markedly prominent. Schopenhauer, over whom Goethe had exercised much influence, recognized it. Both he and Hegel agreed with Goethe's great doctrine:

"Natur hat weder Kern noch Schale,
Alles ist sie mit einem Male."

GOETHE

With Goethe this was no empty saying. In his scientific work and his poetry alike he never failed to insist on it. Nature was for him something living, and reality was this living process. The notion of creative evolution, to use M. Bergson's phrase, was the key to his researches into the metamorphoses of plants and to his general ideas of morphology. The conception of a rigid mechanical universe was abhorrent to him. When he wishes Mephistopheles to mock at the student, he makes him say:

“Wer will was Lebendig's erkennen und beschreiben,
Sucht erst den Geist heraus zu treiben,
Dann hat er die Teile in seiner Hand,
Fehlt leider nur das geistige Band;
Encheiresin naturæ nennt's die Chemie,
Spottet ihrer selbst und weiss nicht wie.”

It is the same throughout. Life was for Goethe the grand feature of the objective universe, and observation and not abstract scientific classification was the way to come at it. That is one reason why he excelled in lyric verse. In his lyrics he hardly ever writes a line that does not embody the sense of life. His maxim for mankind he puts in his “Faust” into the lips of the Deity when he makes him, in the prologue, apostrophize men thus:

“Doch ihr, die echten Göttersöhne,
Erfreut euch der lebendig reichen Schöne.
Das Werdende, das ewig wirkt und lebt,
Umfass euch mit der Liebe holden Schranken,
Und was in schwankender Erscheinung schwebt,
Befestiget mit dauernden Gedanken.”

To me these words seem to be not only profoundly characteristic of the idealistic thought of Germany at the highest point it touched. We shall see presently how the principle was to be applied in the practical life of the State.

I am aware that as regards the philosophical development what I have expressed is not the common opinion. But reflection on what the great German idealists wrote has made me think that this is the true view, and I refer to it here because it bears on what comes after. There is no incompatibility between the passion for concrete and living reality, and the passion for exhibiting it in a system. Goethe himself had a thoroughly systematic mind, and, as some of you at Oxford have pointed out, Hegel was behind no philosopher, ancient or modern, in his resolute refusal to separate thought from things, the abstract from the

concrete, the continuous from the discrete, and Being from Becoming.

SYSTEM IN GERMAN NATIONAL LIFE

System then, system necessarily in its first aspect abstract, but system that has its beginning and end in concrete life, this was the intellectual inheritance of the German nation from the philosophers and poets of the early nineteenth century. Some one once said "Without Goethe, no Bismarck." It seems to me that this saying is true. But its author might have added that without the great German thinkers there would also have been no Scharnhorst, no Clausewitz, no Roon and no Moltke. There is hardly anything in the history of modern Germany that illustrates more thoroughly what has been called "the wonderful might of thought" than the capacity it has developed for organization. An especially fine illustration is the organization of the German military system. It began after the battle of Jena. Prior to that catastrophe German generals had ceased to think. They had been content to adhere blindly to the traditions they had inherited from Frederick the Great. But these traditions belonged to a system which was of the past, and was bound up with the personality of an almost unique leader—one who could do almost what he liked with his army, and who had fashioned his strategy and his tactics and his Staff, not for all time, but to deal with the special problem of his period, the problem which he had in his day to solve.

In the pages of Von Treitschke's "Bilder," and especially in the chapter called "Der Anfang des Befreiungskrieges" the story is told of how the change came about. Von Treitschke was a great writer of history. He describes with a vividness which recalls Macaulay to the English student. He is never more in his element than when he is depicting the uprising against Napoleon in 1813. He tells us first of all of the inspiration of Prussia by her statesmen, her soldiers, her thinkers, and her poets. He draws the

picture of a nation penetrated by enthusiasm and determination in every rank and every phase of life. He describes how the national energy was directed and organized by great military leaders like Scharnhorst and Blücher. And then he tells how a great army was rapidly created, apparently by the people themselves, with a single purpose, that of delivering Prussia from the yoke of the oppressor. The narrative never flags, the historian remains at his high level throughout. Napoleon is in the end driven out of Germany; then peace follows. For the rest we do not need to turn to the pages of any particular author. The inspiration of the spirit of victory passed into a series of diverse writers. Clausewitz shows us to what a high point of literary as well as scientific excellence a great military critic can attain. The idealist commentators on the history of the State show the profound effect which a successful effort at self-deliverance can exercise over even the most abstract of philosophers. Everywhere German thought at this period discloses the surroundings of the thinkers, and the reality of the conception of the State which was prevalent. The individual finds his best and highest life as a citizen in the nation to which he belongs. We have traveled far from the comparatively recent teaching of Kant. The general will has become much more prominent than the individual will, and Government has revealed itself as the dominant fact.

THE TRANSITION PERIOD

This state of mind could not last, but it is a tribute to German tenacity in holding to conceptions that it was to change as little as it did. There came next a period in which the abstract views of the school of the Left prevailed over the school of the Right wing. It is not easy to realize that in founding a revolutionary movement Marx and Lasalle believed themselves to be carrying the torch which Hegel had kindled. But they did believe it. The new *Aufklärung* held the

field for a considerable time. Germany gradually turned from idealism to science, and in a less but still marked degree to Socialism. Her literature became insignificant and her philosophy lost its hold. But in science she became stronger than ever, and in the faculty of business organization strongest of all. This was natural. Nothing so recalls a people to serious practical purposes as war does, with the havoc which it plays with individual life, and Prussia had a succession of wars. They culminated in 1870, and Bismarck then was free to turn his attention to industrial and social organization. Whatever criticism may be passed on the policy Germany thought out and adopted, at least it was a policy which had been carefully considered. Since the days of Friedrich List the avowed purpose of the prevailing school of economists in Germany had been to subordinate economic to national considerations, and above all to the end of German unification. This was the line which Bismarck in the main consistently pursued. For this purpose he introduced into the life of the people organization wherever he could. In education, in military training, in her poor law, Germany began to stand out more and more among the nations. Naturally a process so far-reaching as that which Bismarck developed was sure to be attended by its nemesis in the shape of reaction. And reaction came. The social democrats on the one hand, writers like Nietzsche on the other, and the modern spirit, in the shape of a freely expressed criticism of the German school system for the narrowness of the type it produced, were inevitable. To glance in passing at the illustration which German education affords, it is odd to reflect that Eton and Harrow, institutions which many people here do not regard as free from grave defects, have become much thought of in educational circles in Germany. And why? Not for the learning they impart, but because in these and other great public schools in England the real rulers are seen to be the boys themselves, and the tendency is to produce indi-

viduality and the qualities which go to the making of leaders of men.

THE INFLUENCE OF GERMAN EXAMPLES

In these as in other matters it is only by estimating things on balance that reliable conclusions can be reached. The German system of education has many advantages and certain disadvantages. These last can be mitigated if something of the English Public School spirit can be introduced into Germany without sacrificing the enormous advantage she has over us in the organization in other respects of her secondary schools. It is the same with many other institutions. It is not an unmixed good to a country to be overgoverned, and Germany is still probably too much governed for that free development of individuality which is characteristic of life here and in the United States. But this must not be taken to mean that the order which prevails in so many departments of German social life is not a great advantage to her, and one which ought, as far as possible, to be preserved if she ever, in her constitutional development, approximates more nearly to our models. In many ways we ourselves are rapidly adopting, with the modifications that the national habit of mind makes inevitable, German examples. I do not mean only in such fields as that of National Insurance, although that is not a bad illustration, but in other directions. I am at present much occupied as Chairman of a Royal Commission that is sitting on University Education in London, and I am much struck by the growing influence of German University methods that is apparent in the evidence of the numerous expert witnesses we have examined. In this direction and in technical education the Teutonic spirit is moving among us, but moving in a fashion that is on the whole our own. And, on the other hand, Germany herself is learning something from us. She is studying our methods of colonial development and applying them. And she is watching what is a char-

acteristic feature of our national life, our vigorous local government. Moreover, she is herself altering in her habits of thought and feeling. The period of materialism and of reaction from idealism seems to be passing. The negative influence of Schopenhauer and Nietzsche seems to be spending itself. Nothing very definite has yet emerged in the form of a prevailing characteristic. But it is well to note that there are indications in many directions of a revival of the influence of the outlook on life of Goethe and the great idealists.

WINDELBAND ON MORE RECENT DEVELOPMENT

Two years ago a book appeared in Germany which contained several things which impressed me a good deal. It was a reprint of five addresses delivered by one of the best-known of modern historians of philosophy and literature—Professor Windelband, of Heidelberg. In this work, which he published under the title of “*Die Philosophie im Deutschen Geistesleben des 19. Jahrhunderts*,” Professor Windelband traces the course of German thought, in the poets as well as the metaphysicians and moralists, through the century that is just over. He shows how the creed of Romanticism had its form profoundly modified by the growth of a demand for a practical application to life. “*Die Forderung der Tat*,” he says, became, “*wirklich der Weisheit letzter Schluss zu dem sich die Philosophie wie die Dichtung bekannte*.” He points out that, just as Schleiermacher tried to give religion a practical significance for the lives and deeds of educated people, so Hegel summoned them from their dreams to realize themselves in the performance of their duties to the State. This fruitful period was succeeded by one of materialism and pessimism, which again, under Positivist habits of mind, gave way to the standpoint of science, and especially of psychology. The larger significance of the historical method was forgotten. “Just at the moment,” says

the professor, "when we Germans had begun to make history, we ceased to wish to know anything of history." The powerful personality of a man of genius, Bismarck, had created the German Empire; his call for the exercise of a national will found a response in all directions, and the impulse to volition rather than speculation, to action and creation, became dominant. "Wir wissen zu viel, wir wollen zu wenig. Aus dem Lernvolk soll ein Tatvolk werden"; so people began to declare all round.

But at this stage Windelband points out that a new tendency made itself felt. Democracy seemed to begin to move with giant strides. The masses realized that for the attainment of practical results knowledge was power, and the schoolmaster a veritable leveler up. The workmen demanded participation in what had been the privilege of leadership of the classes. Social problems became increasingly attractive, and there was apparent a tendency to regard it as possible to look on all men as alike who had attained to a certain standard of learning.

This tendency, he says, produced an almost immediate reaction. The fear arose that the unique value and quality of personality might be overlooked, and even lost to the nation. Personality in thought, in art, in action, had been the main source of the strength of the German nation, and now it seemed that a movement was on foot to reduce individuality to a dead level on the demand of the masses. He tells us how the protest against this demand assumed its first form in art, and how the strongest expression of the struggle of individuality to free itself from the crushing and leveling power of the masses came from Nietzsche. This, he says, was the secret of the hold which Nietzsche got over great numbers of his countrymen. But Nietzsche's was a too brutal insistence on the right of the "overman" to dominate. It was an "Umwertung aller Werte." It confused the national ideas of value and moral worth, and it could not last. A yet more modern tendency has, de-

clares the professor, set in in Germany. The demand has been made that philosophy shall show the way to a better and more real appreciation of moral values of a permanent kind, the kind that has, amid the changing interests of the period, an abiding foundation in a higher spiritual reality. The rule of the masses has increased and is increasing so far as the things of outward life are concerned. What is needed is a strong and heightened personal life that can win back and preserve its own spiritual inwardness. Thus there is apparent in Germany a new tendency to return to the great systems of idealism which have proclaimed the spiritual foundation of all reality. It is not with the transitory forms of the old effort at logical construction that educated opinion is concerning itself. The abstract formulas of the old metaphysic no longer interest the general student. But he has begun to realize once more the splendid and convincing power with which the great German thinkers disentangled from a mass of historical material the permanent basis of moral and intellectual values, and brought to the general consciousness a significance in these values that was beyond the level of what is transitory or merely utilitarian. The relation of the self-conscious and self-developing individual to the community is the new problem, and the great question is how the infinite value of the individual inner life, and the claims of the society of which the individual is a member and on which he is dependent are to be reconciled. This is the task which modern Germany has set to philosophy and art, and on the solution they offer will depend the question whether they are considered worthy of their mission.

DEMOCRACY IN GERMANY AND ENGLAND

Such is the view of modern Germany set before us by Professor Windelband as lately as two years ago. With us in Great Britain the state of things is not quite the same. Democracy is no doubt ad-

vancing, and with even greater strides than across the German ocean. But although there is a growing demand for education there is, I think, a greater disposition here among the masses to regard the man who already possesses it as in a class apart. It is a possession less familiar to our people. They have never been led by fighting philosophers such as were Marx and Lasalle. The professors of political economy do not come on the side of the movement towards Socialism as freely as is the case in Germany. Nor, on the other hand, is the cry against socialistic legislation a battle cry of our political strife to anything like the same extent. And yet the two democracies have, in vital points, such as the desire that the State should insist on better conditions of life for those who work with their hands, much in common. It is one of the most reliable foundations for the hope of better and more intimate relations between the two countries in the days to come that this should be so. The German democracy would doubtless follow its rulers to war, as would in all probability the democracy here. But both democracies are more and more influencing the policy of these rulers, as the German Chancellor pointed out in a speech made not long ago, and neither democracy regards war in any other light than that of a calamity. A marked and growing interest in pressing forward the demand for the solution of social problems is a guarantee of peace. The more intimate the knowledge of each other's affairs becomes in the case of the two nations, the better for everybody. But the process cannot be a very rapid one. The difference of temperament is partly racial and partly due to other reasons.

MUTUAL FORBEARANCE

I have tried to disentangle the genesis and growth of some differences of mental habit and tradition which make it difficult for Englishmen and Germans fully to understand each other. If my analysis is

even approximately right, there is room for the citizens of both countries to become less keenly conscious than at present of each other's infirmities. In the great mission of civilizing the world, in its commercial and industrial development, in the production and exchange of goods, in science, in literature, in art, the two nations have many opportunities and aptitudes in common. Theirs is a mission and a duty in the discharge of which rivalry might well be stingsless. It were a thousand pities if peaceful coöperation in work so manifold and so great, and so much in the interest of the world as a whole, were marred or even impeded by unnecessary suspicions. And yet the marring and the hindering are often to be witnessed. They arise mainly from what is the source of most of the evils of life—ignorance and want of forbearance. Given fuller knowledge, and that capacity for self-restraint should quickly and surely operate which among educated races generally checks the tendencies to diverge coming from difference of temperament. Still even this capacity cannot always be reckoned on. There are many Englishmen and Germans who have knowledge, and who practice this self-restraint. But there are still more, even among the highly educated classes, who in varying degrees fail to do so. I have seen a good many illustrations of mischief arising from the want of the practice. Some of those that were least important in themselves have left with me the most vivid impressions. I have witnessed in business relations the shortcoming in this respect of able men of both countries. I used to see it in the days when I was at the bar, and I now sometimes see the same shortcoming illustrated in public affairs. I have noticed cases in which Germans have misjudged the meaning of British policy. And I have observed English politicians at times apt either unduly to suspect the supposed particular intentions of German statesmen, or alternatively to think that good may be done by indulging in vague and sentimental appeals to them. Now German policy is largely influenced

by Prussia. It is the habit of mind of Prussians to begin by defining a principle and then to test everything by it. They are not fond of gush, and are surprised if anyone doubts that the natural point of departure should naturally be to lay down clearly as a preliminary to discussion what they hold to be the interest of Germany. It is well to realize this habit of thought, and to take account of it. To ignore it is only to get ourselves misunderstood and probably supposed to be concealing some hidden counter policy. German habits of thinking in abstract terms, even when dealing with the most immediate and practical affairs, and of looking for principles everywhere, make things at times trying for those who have not this useful if difficult habit of mind in the same degree.

DIFFICULTIES IN MUTUAL UNDERSTANDING

Then the German language is another cause of hindrance to Englishmen. It is in a high measure precise, but it does not lend itself like French, or even like English, to the expression of *nuances*. And when it appears in a translation, the *nuances* are generally not there at all, and the meaning is apt to seem harsh. I wish all our politicians who concern themselves with Anglo-German relations, those who are pro-German as well as those who are not, could go to Berlin and learn something, not only of the language and intellectual history of Prussia, but of the standpoint of her people, and of the disadvantages as well as the advantages of an excessive lucidity of conception. Nowhere else in Germany that I know of is this to be studied so advantageously and so easily as in Berlin, the seat of Government, the headquarters of Realpolitik, and it seems to me most apparent among the highly educated classes there. It would be a good thing to get more understanding of personal equations than is current amongst us Englishmen. If judges and merchants and diplomatists can be led into wrong impressions, how much more are the multi-

tudes here, who have no direct knowledge of foreign habits of mind, likely to make mistakes. And what is true of us is true of the Germans themselves. We also have some admirable qualities which are obscured by our other characteristics. It requires life among us and knowledge of our ways and of our language to disentangle the true relation and character of these qualities. If the process is once started it is not difficult to continue. Frenchmen and Russians now appreciate us more than they did, simply because improved international relations have at last led them to look for our good qualities rather than to look on our deficiencies. A similar change for the better has even now come over our relations with our relatives in the United States. What an excellent thing it would be for the peace of the world if the process were to set in all round, so that just as we and the French and the Russians and the Americans have found a strong inclination to look for and believe in the best in each other, the same tendency were to set in as between the Germans and ourselves. There is no apparently insuperable reason why in forming a new friendship we should not carry on other and older friendships, and carry them with us into the new one to the profit of everyone concerned. Such a change might not supersede considerations of self-defense, but its tendency would probably be in the direction of lightening the financial burdens which these entail.

What is wanted is, then, education in mutual understanding. That is why this gathering at Oxford is of more than local importance. I can think of few things more desirable for the world at this moment than that England and Germany should come to understand each other. But such mutual understanding is not possible excepting on the basis of study and the knowledge that is born of it. On the whole, I think we are more deficient in this study than are the Germans. They know our literature and our history much better than we do theirs. Shakespeare and

Scott are almost as familiar to them as they are to ourselves. For one Briton that can read and speak German there are five Germans that can read and speak English. On the other hand, they seem to me to know almost less of our way of looking at things than we do of theirs. We are not really a nation than conceals deep-laid plans and selfish schemes under the guise of obscurity in word and deed. We do not seek, as of set principle and purpose, to annex more and more of the surface of the earth in advance of all others. What we have actually done in this direction we have done, not as the outcome of any preconceived and thought-out policy, but because for a long time we were the only people on the spot, and because at the moment it was the obvious thing to do and we were the only people ready to do it. Germany seems to me to have had one particular piece of ill luck, the misfortune of having been born as a nation a hundred years late in the world's history. The fact has modified the form of what otherwise would have been her mode of development. But it need not materially hamper her progress. She is already one of the greatest nations in the world in virtue of character and intellectual endowment. Her power of organization is unrivaled. She has high standards of excellence in her methods and great aptitude for what is actual and concrete. She is penetrating everywhere and to the profit of mankind. Nothing is likely to keep her back, and I think I may add that nothing is so likely to smooth her path as really frank and easy relations, in commerce, in politics, in society, with this country. For some of us—a great many of us—believe that the greater the trade and commerce of Germany the greater will be our trade and commerce. Coöperation in development is a great factor for all concerned.

THE GERMAN LANGUAGE

No doubt there are subjective difficulties. I have already referred to those occasioned by the barrier

erected by the peculiarities of the German language. It possesses advantages, but it also possesses disadvantages, and causes somewhat of a gulf between the German and his foreign neighbors. One cannot, however appreciative one may be of things German, but make certain complaints of this language. The verb is remote from the substantive and is a sore trial to the foreigner. The Gothic type and the Kursivschrift are oppressions to the foreign eye. In the hands of a bad writer this language is a burden even to the student. Carlyle himself, a real admirer of German literature, has to say in his "Frederick the Great," that "German to this day is a frightful dialect for the stupid, the pedant, and dullard sort. Only in the hands of the gifted does it become supremely good." But I sometimes think that even the Germans themselves do not appreciate the power that is latent in their language of being made admirable for all purposes when the pen is that of a great master of style. I do not speak of the lyric. We all know that for the purposes of lyrical poetry German has hardly a rival. I speak of prose. I refer for an illustration to Heinrich Heine. When I visit Düsseldorf it is with sadness that I see no mark to show that the town is proud of its association with his name. He was trying at times. He laughed at his countrymen. But then he laughed at us Englishmen also, and perhaps he laughed most of all at the French. He really knew and loved Germany, and yet Germany can hardly be said to appreciate him, and this, the fact notwithstanding that he wrote German prose as perhaps no other ever has. We have learned to marvel at the young Goethe, who, before he was twenty-six, had produced much of his greatest work—the Urfaust, Goetz, Werther, and some of the finest of his lyrics. But of Heine we hear little in Germany. I think it is a sign of a certain want of open-mindedness that Germany does not fully appreciate this unique figure—the man who knew so much and said it so distinctly in such perfect words. In Heine Sainte-Beuve

has his rival in delicacy of appreciation. The language of Renan is not more exquisitely graceful and precise. And yet there is, so far as I know, no important memorial to him in Germany—not even in Düsseldorf, his birthplace.

CONCLUSION

We are all prone to the unconsciousness which comes from being narrow, we here in England at least as much as our neighbors. We overlook, for instance, that in the nineteenth century we produced two literary figures and two only of European reputation—Byron and Scott. Byron never attained to maturity, and Scott is full of padding. So is Goethe, for that matter, at least the Goethe of later life. But Germany in the end of the eighteenth and the beginning of the nineteenth century had her Elizabethan age, so far as literature and philosophy were concerned. How much poorer would the whole world be but for this period of German life in which she for the time outstripped every other country! Yet even then she indulged in tendencies which needed correction, and if she had listened to Heinrich Heine they might have been corrected and the outlook enlarged. And now the *revanche* is in progress, much as Heine predicted, and, looking at the German railway bookstalls, I can see that a Gallic spirit is advancing on Berlin. It need not have been so, and it should not have been so, and Heine told of a better way. Had his counsel been listened to there ought to have been no Nietzsche period—so at least it seems to a foreigner.

I repeat that we English are apt to be narrow. We provoke the world by our apparent unconsciousness of the transitory nature of national institutions. Change is the order of the day. What will the world be like a hundred years hence? No one can foresee. Can the centralized Russian Empire hold together in the face of the march of civilization and the progress

of Japan and China also? Will not these countries afford examples which will be followed outside their own boundaries? Will the German Empire a hundred years hence be anything like what it is to-day? And how will it be with the British Empire? Few people suppose that, even if George the Third had not been foolish, the United States would have remained bound up with us and subject to a centralized Government. Some of us are quite aware that with Canada and Australia and New Zealand and South Africa the same difficulty might well arise unless great care is taken. Few people now talk of a rigid system of Imperial Federation on the old lines of a quarter of a century since. The proposition would be an anachronism and too dangerous. If Canada, for example, were to develop eighty millions of a population, could we remain with her under any sort of apparently written or rigid system? Possibly! It all depends how elastic the system really was, how light the rein of Common Government, and how complete the autonomy of the Canadians. By learning to see things as others see them we may put off, perhaps for an indefinite period, days which, if there were constraint or lack of intelligence, would be inevitable. And that is why we do well to study the lesson of how to understand our neighbors all round, those who speak English and those who speak German, and to try to correct certain insular traits of mind which are characteristic of us.

The Greeks used to say that the knowledge of self is the hardest to gain of all kinds of knowledge, and this is as true of nations as it is of individuals. But it is surely worth while to make the effort to gain the knowledge. For it may help us to secure that in the particular case we are considering, that of Germany and Great Britain, neither of two great nations shall fail to realize the magnitude of its responsibility for the understanding and appreciation of the other.

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THE GENERAL ARBITRATION TREATIES OF 1911



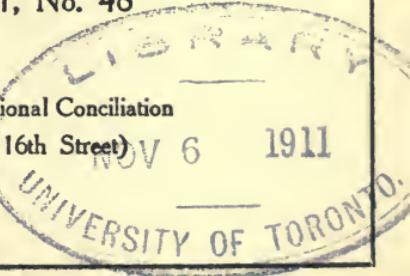
Text of the Arbitration Treaties with Great Britain and France referred to the Senate of the United States, August 11, 1911; Majority and Minority Reports thereupon from the Committee on Foreign Relations; Comments on the Treaties by John Bassett Moore and Governor Simeon E. Baldwin, Reprinted by permission from *The Independent*; Extracts from the Address by the President of the United States before the American Bar Association, August 31, 1911.

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American Association for International Conciliation

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INTRODUCTION

The object of this publication is to furnish authentic information concerning the general arbitration treaties with France and Great Britain, signed at Washington on August 3, 1911, the fate of which now rests with the United States Senate.

These treaties provide (Art. 1) that, diplomacy failing to secure an adjustment, all future differences arising "under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity," shall be submitted to arbitration.

It is further provided (Art. 3) that, in case the parties disagree as to whether a difference is arbitrable, this question shall be referred to a Joint High Commission of Inquiry, appointed in conformity with the terms of the treaties (Art. 2), and that, if the Commission, unanimously or with only one dissenting vote, reports that the difference is justiciable, "it shall be referred to arbitration in accordance with the provisions" of the treaties, it being expressly stipulated (Art. 1) that in no event may a difference be referred to arbitration except under a special agreement, which must, in the case of the United States, be approved by the Senate, and, in the case of Great Britain, if the interests of a self-governing colony be affected, be concurred in by the government of such colony.

The treaties were, immediately upon their conclusion, transmitted to the Senate for its advice and consent to the exchange of ratifications, and were there duly referred to the Committee on Foreign Relations.

From that committee two reports were presented, one by Mr. Lodge and the other by Mr. Root. The report by Mr. Lodge, representing the views of the majority of the committee, recommends that the treaties be ratified only with certain amendments, submitted as safeguarding or asserting the prerogatives of the Senate. Of these amendments the most important is that which proposes to strike from the treaties (Art. 3) the stipulation to refer to a joint commission the question whether a difference is arbitrable. The report presented by Mr. Root, for himself and for Mr. Cullom and Mr. Burton, maintains that the prerogatives of the Senate are fully recognized by the treaties, and recommends that they be ratified as they are, with an accompanying express declaration that they do not embrace questions of governmental policy.

To the end that the reader may be fully advised of the merits of the subject, we give herewith the text of the treaties; the report of Mr. Lodge; the report of Mr. Root, with the supplemental views of Mr. Burton; two articles from *The Independent* of August 17 and August 31; and a speech by President Taft before the American Bar Association, at its annual meeting, in Boston, on August 31.

THE TEXT

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of perpetuating the peace, which has happily existed between the two nations, as established in 1814 by the Treaty of Ghent, and has never since been interrupted by an appeal to arms, and which has been confirmed and strengthened in recent years by a number of treaties whereby pending controversies have been adjusted by agreement or settled by arbitration or otherwise provided for; so that now for the first time there are no important questions of difference outstanding between them, and being resolved that no future differences shall be a cause of hostilities between them or interrupt their good relations and friendship;

The High Contracting Parties have, therefore, determined, in furtherance of these ends, to conclude a treaty extending the scope and obligations of the policy of arbitration adopted in their present arbitration treaty of April 4, 1908, so as to exclude certain exceptions contained in that treaty and to provide means for the peaceful solution of all questions of difference which it shall be found impossible in future to settle by diplomacy, and for that purpose they have appointed as their respective Plenipotentiaries:

The President of the United States of America, the Honorable Philander C. Knox, Secretary of State of the United States; and

His Britannic Majesty, the Right Honorable James Bryce, O.M., his Ambassador Extraordinary and Plenipotentiary at Washington;

Who, having communicated to one another their full

powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

All differences hereafter arising between the High Contracting Parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other arbitral tribunal, as *shall* [may] be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, to define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder.

The provisions of Articles 37 to 90 inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at the Second Peace Conference at The Hague on the 18th October, 1907, so far as applicable, and unless they are inconsistent with or modified by the provisions of the special agreement to be concluded in each case, and excepting Articles 53 and 54 of such Convention, shall govern the arbitration proceedings to be taken under this Treaty.

The special agreement in each case shall be made on the part of the United States by the President of the United States, by and with the advice and consent of the Senate thereof, His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence therein of the government of that dominion.

Such agreements shall be binding when confirmed by the two Governments by an exchange of notes.

ARTICLE II

The High Contracting Parties further agree to institute as occasion arises, and as hereinafter provided, a Joint High Commission of Inquiry to which, upon the request of either Party, shall be referred for impartial and conscientious investigation any controversy between the Parties within the scope of Article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of Article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either Party desires such postponement.

Whenever a question or matter of difference is referred to the Joint High Commission of Inquiry, as herein provided, each of the High Contracting Parties shall designate three of its nationals to act as members of the Commission of Inquiry for the purposes of such reference; or the Commission may be otherwise constituted in any particular case by the terms of reference, the membership of the Commission and the terms of reference to be determined in each case by an exchange of notes.

The provisions of Articles 9 to 36, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on the 18th October, 1907, so far as applicable and unless they are inconsistent with the provisions of this Treaty, or are modified by the terms of reference agreed upon in any particular case, shall govern the organization and procedure of the Commission.

ARTICLE III

The Joint High Commission of Inquiry, instituted in each case as provided for in Article II, is authorized to examine into and report upon the particular questions or matters referred to it, for the purpose of facilitating the solution of disputes by elucidating the facts, and to

define the issues presented by such questions, and also to include in its report such recommendations and conclusions as may be appropriate.

The reports of the Commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law and shall in no way have the character of an arbitral award.

It is further agreed, however, that in cases in which the Parties disagree as to whether or not a difference is subject to arbitration under Article I of this Treaty, that questions shall be submitted to the Joint High Commission of Inquiry; and if all or all but one of the members of the Commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this Treaty.

ARTICLE IV

The Commission shall have power to administer oaths to witnesses and take evidence on oath whenever deemed necessary in any proceeding, or inquiry, or matter within its jurisdiction under this Treaty; and the High Contracting Parties agree to adopt such legislation as may be appropriate and necessary to give the Commission the powers above mentioned, and to provide for the issue of subpœnas and for compelling the attendance of witnesses in the proceedings before the Commission.

On the inquiry both sides must be heard, and each Party is entitled to appoint an Agent, whose duty it shall be to represent his Government before the Commission and to present to the Commission, either personally or through counsel retained for that purpose, such evidence and arguments as he may deem necessary and appropriate for the information of the Commission.

ARTICLE V

The Commission shall meet whenever called upon to make an examination and report under the terms of this Treaty, and the Commission may fix such times and places for its meetings as may be necessary, subject at all times to special call or direction of the two Govern-

ments. Each Commissioner, upon the first joint meeting of the Commission after his appointment, shall, before proceeding with the work of the Commission, make and subscribe a solemn declaration in writing that he will faithfully and impartially perform the duties imposed upon him under this Treaty, and such declaration shall be entered on the records of the proceedings of the Commission.

The United States and British sections of the Commission may each appoint a secretary, and these shall act as joint secretaries of the Commission at its joint sessions, and the Commission may employ experts and clerical assistants from time to time as it may deem advisable. The salaries and personal expenses of the Commission and of the agents and counsel and of the secretaries shall be paid by their respective Governments and all reasonable and necessary joint expenses of the Commission incurred by it shall be paid in equal moieties by the High Contracting Parties.

ARTICLE VI

This Treaty shall supersede the Arbitration Treaty concluded between the High Contracting Parties on April 4, 1908, but all agreements, awards, and proceedings under that Treaty shall continue in force and effect and this Treaty shall not affect in any way the provisions of the Treaty of January 11, 1909, relating to questions arising between the United States and the Dominion of Canada.

ARTICLE VII

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty. The ratifications shall be exchanged at Washington as soon as possible and the treaty shall take effect on the date of the exchange of its ratifications. It shall thereafter remain in force continuously unless and until terminated by twenty-four months' written notice given by either High Contracting Party to the other.

In faith whereof the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the third day of August, in the year of our Lord one thousand nine hundred and eleven.

[SEAL]

PHILANDER C. KNOX

[SEAL]

JAMES BRYCE

I certify that the foregoing is a true copy of the original treaty this day signed.

PHILANDER C. KNOX

Secretary of State

AUGUST 3, 1911

NOTE:—The Treaty with France is identical with that of Great Britain, with the exception of the appropriate verbal changes.

MAJORITY REPORT

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations has reported to the Senate, with certain amendments, two treaties—one with Great Britain and one with France—for the general arbitration of differences which may arise between those countries and the United States, and have recommended that the treaties, thus amended, be ratified by the Senate. In accordance with the instructions of the Senate the committee now submits its report explaining the provisions of the treaties and the purpose and necessity of the amendments proposed. In order to understand thoroughly the nature of these treaties, it is necessary to review briefly what has already been accomplished in the same direction and to make clear the character of the existing treaties on this subject which are to be superseded and to point out the differences between the latter and those now before the Senate.

In 1905 Mr. Hay, then Secretary of State, negotiated with Great Britain and certain other powers general arbitration treaties, which were submitted to the Senate

by President Roosevelt for its advice and consent. These treaties provided for the submission to arbitration of practically all questions which did not affect the "vital interests, the independence, or the honor of the two contracting states and which did not concern the interests of third parties." Under these treaties the special agreement, which must be entered into in each particular case for the purpose of defining the questions and the powers of the arbitrators in that case, was to be made by the Executive without reference to the Senate. By a vote of more than 5 to 1 the Senate amended these treaties so as to secure the submission of all such special agreements to the Senate for its advice and consent. The treaties thus amended were not presented by the administration to the other contracting powers and never became operative. In 1908 Mr. Root, then Secretary of State, negotiated similar treaties with various powers in which the right of the Senate to advise and consent to all special agreements made under these treaties was explicitly provided for. Approved by President Roosevelt and by him submitted to the Senate, these treaties were ratified by the Senate without opposition and are still the law of the land. The two treaties now submitted remove the exceptions made in their predecessors as to questions affecting national honor, vital interests, independence, or the interests of third parties, and substitute therefor in Article I a statement of the scope of arbitration which is designed by its terms to exclude all questions not properly arbitrable.

It will be observed that by the terms of this article every difference arising between the two nations is to be submitted to arbitration if such differences "are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity," and it follows necessarily that all differences which are not justiciable in their nature by reason of not being susceptible of decision by the application of the principles of law or equity are excluded from arbitration under the terms of this article. It will also be observed that all special agreements made under this article must

be submitted to the Senate for its advice and consent. To this article the committee recommends a slight verbal amendment which only serves to make clearer the meaning of the article and which need not detain us here.

If, following the example of the treaties of 1908, these treaties stopped at this point with the article defining the scope of the subjects to be submitted to arbitration, the committee would have found no difficulty in recommending to the Senate its immediate ratification. The definition of the questions to be submitted to arbitration in these new treaties is, it is true, very large and general and somewhat indeterminate. It is stated that these questions are to be justiciable by reason of being susceptible of decision by the application of the principles of law or equity. In England and the United States, and wherever the principles of the common law obtain, the words "law or equity" have an exact and technical significance, but that legal system exists nowhere else and does not exist in France, with which country one of these treaties is made. We are obliged, therefore, to construe the word "equity" in its broad and universal acceptance as that which is "equally right or just to all concerned; as the application of the dictates of good conscience to the settlement of controversies." It will be seen, therefore, that there is little or no limit to the questions which might be brought within this article, provided the two contracting parties consider them justiciable.

Under Article I, however, taken by itself, no question could be dealt with unless the treaty-making powers of both countries were agreed that it was justiciable within the meaning of the article. The most vital point, therefore, to be decided would be whether the question was justiciable according to the principles of law and equity. Everyone agrees that there are certain questions which no nation, if it expects to retain its existence as a nation, will ever submit to the decision of anyone else, and by reserving the power to pass upon all special agreements each party to the contract reserves at the same time the power to reject as not justiciable any of these questions which it is admitted no nation could submit to an outside

judgment without abandoning its sovereignty and independence.

These treaties, however, do not stop with the article which defines and enlarges the scope of arbitration. In Articles II and III provision is made for the establishment, if either party desires it, of a joint commission of inquiry. Such a commission is to be preliminary to arbitration and is to examine into and report upon the subject of the controversy between the two contracting parties. These articles follow in the main the provisions of The Hague convention of 1907 now in force for the establishment of such commissions. The committee ventures to think that some of the changes here made from The Hague provisions are not in the direction of an advance, but of a retreat, because they revive the idea of confining membership in the commission, if insisted upon by either party, to nationals instead of to wholly disinterested outsiders, which is the conception of The Hague convention. But the important part of these two articles is contained in the last clause of Article III, a point at which these two treaties depart widely from The Hague provisions. The clause in question is as follows:

It is further agreed, however, that in cases in which the Parties disagree as to whether or not a difference is subject to arbitration under Article I of this Treaty, that question shall be submitted to the Joint High Commission of Inquiry; and if all or all but one of the members of the Commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this Treaty.

It will be seen by examination of the clause just quoted that if the joint commission, which may consist of one or more persons, which may be composed wholly of foreigners or wholly of nationals, decides that the question before them is justiciable under Article I it must then go to arbitration whether the treaty-making power of either country believes it to be justiciable or not. A special agreement, coming to the Senate after the joint commission had decided the question involved to be justiciable, could not be amended or rejected by the Senate on the ground that in their opinion the question was not justiciable and did not come within the scope of Article

I. By this clause the constitutional powers of the Senate are taken away *pro tanto* and are transferred to a commission, upon the composition of which the Senate has no control whatever. It is said that the powers of the President under the Constitution are given up by the third clause of Article III just as much as those of the Senate. If this be true it only makes the case more serious, but the President, under the provisions of Articles II and III, although he would be bound by the decision of the commission, can nevertheless control the formation of that body. To arrange the membership of the joint commission, however, so as to defeat an adverse decision in advance would not be consonant with the spirit of the treaty, but none the less that power of indirect control remains in the hands of the President and in his hands alone.

In approving Article I of the treaty the committee assents to the arbitration of all questions coming within the rule there prescribed. The terms in which the rule is stated are, however, quite vague and indefinite, and they are altogether new in international proceedings. It is possible that others may take an entirely different view from that entertained by the committee or by the negotiators of the treaty as to what was meant by justiciable or as to what was meant by the principles of law or equity when applied to international affairs, and in the absence of any established rules of international law for the construction of such provisions and of any precedents others might put upon these provisions a construction entirely different from that which the treaty-making power now intends. Under these circumstances to vest in an outside commission the power to say finally what the treaty means by its very general and indefinite language is to vest in that commission the power to make for us an entirely different treaty from that which we supposed ourselves to be making.

The last clause of Article III, therefore, the Committee on Foreign Relations advises the Senate to strike from the treaty and recommends an amendment to that effect. This recommendation is made because there can be no question that through the machinery of the joint

commission, as provided in Articles II and III and with the last clause of Article III included, the Senate is deprived of its constitutional power to pass upon all questions involved in any treaty submitted to it in accordance with the Constitution. The committee believes that it would be a violation of the Constitution of the United States to confer upon an outside commission powers which, under the Constitution, devolve upon the Senate. It seems to the committee that the Senate has no more right to delegate its share of the treaty-making power than Congress has to delegate the legislative power. The Constitution provides that before a treaty can be ratified and become the supreme law of the land it shall receive the consent of two-thirds of the Senators present. This necessarily means that each and every part of the treaty must receive the consent of two-thirds of the Senate. It can not possibly mean that only a part of the provisions shall receive the consent of the Senate. To take away from the Senate the determination of the most important question in a proposed treaty of arbitration is necessarily in violation of the treaty provisions of the Constitution. The most vital question in every proposed arbitration is whether the difference is arbitrable. For instance, if another nation should do something to which we object under the Monroe doctrine and the validity of our objection should be challenged and an arbitration should be demanded by that other nation, the vital point would be whether our right to insist upon the Monroe doctrine was subject to arbitration, and if the third clause of Article III remains in the treaty the Senate could be debarred from passing upon that question.

One of the first of sovereign rights is the power to determine who shall come into the country and under what conditions. No nation, which is not either tributary or subject, would permit any other nation to compel it to receive the citizens or subjects of that other nation. If our right to exclude certain classes of immigrants were challenged, the question could be forced before a joint commission, and if that commission decided that the question was arbitrable the Senate would have no power to reject the special agreement for the arbitration of that

subject on the ground that it was not a question for arbitration within the contemplation of Article I. In the same way our territorial integrity, the rights of each State, and of the United States to their territory might be forced before a joint commission, and under Article III, in certain contingencies, we should have no power to prevent our title to the land we inhabit from being tried before a court of arbitration. To-day no nation on earth would think of raising these questions with the United States, and the same is true of other questions, which will readily occur to everybody. But if we accept this treaty with the third clause of Article III included we invite other nations to raise these very questions and to endeavor to force them before an arbitral tribunal. Such an invitation would be a breeder of war and not of peace, and would rouse a series of disputes, now happily and entirely at rest, into malign and dangerous activity. To issue such an invitation is not, in the opinion of the committee, the way to promote that universal peace which we all most earnestly desire.

To take from the Senate, in any degree or by any means, the power of saying whether a given question is one for arbitration or not is to destroy the power of the Senate on the most important point to be decided in connection with differences arising with any other nation. Even if it were constitutional, to deprive the Senate to this extent of their share in the treaty-making power would be most unwise and most perilous. The Senate of the United States is as earnestly and heartily in favor of peace and of the promotion of universal peace by arbitration as any body of men, official or unofficial, anywhere in the world, or as any one concerned in the negotiation of arbitration treaties. The history of the United States for a period of more than 70 years exhibits a record of arbitration treaties unequaled by that of any other nation on earth. Every one of those treaties has received the cordial assent of the Senate of the United States. The Senate to-day is heartily in favor, in the opinion of the committee, of enlarging to the utmost practicable limit the scope of general arbitration treaties. The committee recommends to the Senate the approval

of the enlarged scope for arbitration proposed in Article I, but it declines to admit that the destruction of the constitutional powers of the Senate is necessary to the promotion of peace and arbitration, or that their maintenance diminishes by a hair's breadth the enlarged scope which these treaties propose for arbitration as the true method for the settlement of international controversies.

We have discussed the abandonment of the power of the Senate to take part in the construction and application of the treaty in particular cases as they arise with no selfish concern for the prerogatives or rights of the Senate itself, but rather with solicitude that the Senate shall perform the duty which has been imposed upon it by the Constitution and shall not, by its own act, deprive itself of the power to perform that duty. The inclusion of the Senate as a part of the treaty-making power was provided upon mature consideration in the Constitution and was deemed to be adapted to our system of government. It has, on the whole, proved of the highest usefulness for the prevention of hasty and ill-considered agreements with other powers and for the preservation of the interests of all and every part of the American people. So long as that duty rests upon us we must continue to perform it with courage and firmness and without evasion or abdication.

The committee itself, and in the opinion of the committee the Senate also, has no desire to contract the ample boundaries set to arbitration in the first article. But it must be remembered that if we enter into these treaties with Great Britain and France we must make like treaties in precisely the same terms with any other friendly power which calls upon us to do so. This adds to the gravity of the action now to be taken, for nothing could be so harmful to the cause of peace and arbitration or to their true interests as to make a general arbitration treaty which should not be scrupulously and exactly observed. As has been already said, there are questions which no nation will consent to submit to the decision of any one but themselves. The only way to keep such questions from being forced forward, which is in itself

promotive of dissension, ill feeling, and perhaps war, is by the reservation to each of the contracting parties of the power to decide whether or not a question is properly justiciable within the letter and spirit of the treaty.

There are certain questions at the present stage of human development which, if thus forced forward for arbitration, would be rejected by the country affected without regard to whether, in so doing, they broke the general arbitration treaty or not. In the opinion of the committee it should not be possible, under the terms of any treaty, for such a deplorable situation to arise. Nothing ought to be promised that we are not absolutely certain that we can carry out to the letter. If the third clause of Article III remains in the treaty it is quite possible that the unhappy situation just described might arise and the treaty would then become, not what we fondly hope it will be, a noble instrument of peace, but an ill-omened breeder of bitterness and war. For that reason as well as on constitutional grounds and in the best interests of peace and arbitration itself the committee recommends that this clause be stricken from the treaty.

HENRY CABOT LODGE
Chairman

MINORITY REPORTS

We do not consider that the pending arbitration treaties involve any abandonment of the constitutional powers of the Senate. The contrary view can not be maintained except on the theory that all general treaties of arbitration involve such an abandonment, and no one thinks that is so. The difference between a special treaty of arbitration and a general treaty of arbitration is that, in a special treaty the President and Senate agree that a particular case shall be submitted to arbitration, while in a general treaty the President and Senate agree that all cases falling within certain described classes shall be submitted. That is what is done by the now

existing general treaties of arbitration with England and with France; and that is what is done by the first article of the pending treaties, with a materially enlarged description of the class of cases to be submitted.

The pending treaties also provide that, if the parties disagree as to whether any particular case comes within the description of the class which we have agreed to arbitrate, the question whether that case is one of the cases described shall be submitted to the arbitral decision of a joint commission.

We see no obstacle to the submission of such a question to decision, just as any other question of fact, or mixed fact and law, may be submitted to decision. Such a submission is not delegating to a commission power to say what shall be arbitrated; it is merely empowering the commission to find whether the particular case is one that the President and Senate have said shall be arbitrated.

Provisions of this kind are very common in our statutes. For example, when Congress provides that a duty shall be imposed upon imports of one kind and not upon imports of another kind some officer has to decide whether goods which are imported come within the dutiable class or not. No one claims that the power to make such a decision involves a delegation to collectors of customs of legislative power to say what goods shall be dutiable.

It is true that there are some questions of national policy and conduct which no nation can submit to the decision of anyone else, just as there are some questions of personal conduct which every man must decide for himself. The undoubted purpose of the first article of these treaties is to exclude such questions from arbitration as nonjusticiable.

If there is danger of misunderstanding as to whether such questions are indeed effectively excluded by the terms of the first article, such a danger, of course, should be prevented. No one questions the importance of having the line of demarcation between what is and what is not to be arbitrated clearly understood and free from misunderstanding; for nothing could be worse than to make a

treaty for arbitration and then to have either party charged by the other party with violating it.

The real objection to the clause which commits to the proposed joint commission questions whether particular controversies are arbitrable is not that the commission will determine whether the particular case comes within a known line, but that the commission, under the general language of the first article, may draw the line to suit themselves instead of observing a line drawn by the treaty-making power. If we thought this could not be avoided without amending the treaty, we would vote for the amendment to strike out the last clause of Article III, for it is clearly the duty of the treaty-making power, including the Senate as well as the President, to draw that line, and that duty can not be delegated to a commission.

We do not think, however, that any such result is necessary. It certainly is not intended by the treaty; and it seems that it can be effectively prevented without amending the treaty by following a practice for which there is abundant precedent, and making the construction of the treaty certain by a clause in the resolution of consent to ratification. Such a clause being included in the formal ratification will advise the other party of our construction, and being accepted will remain of record as the true construction.

Such a clause may well be, in substance, as follows:

The Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, or other purely governmental policy.

S. M. CULLOM
ELIHU ROOT

AUGUST 18, 1911.

SUPPLEMENTAL VIEWS OF MR. BURTON

I join in the above minority report, but I do not altogether agree with my two colleagues in their views relating to a modification of the treaty by amendment or by a resolution interpreting its scope or terms. The treaty, as it now is, seems to me to sufficiently safeguard national interests and the rights and prerogatives of the Senate. Hence I submit the following additional minority report:

The only important difference between the recommendations of the majority and the minority members of the Committee on Foreign Relations is on the question of whether the proposed arbitration treaties between the United States and Great Britain, and the United States and France should be approved without amendment, or approved subject to an amendment striking out the last clause of Article III. A report has already been made by the committee to the Senate, recommending the approval of these treaties subject to the amendment above mentioned, which report sets forth the views of the majority members of the committee as to the purpose and necessity of the amendment proposed. It only remains for any member of the committee to explain the grounds upon which he disagrees with the majority as to the necessity for such an amendment.

The clause which it is proposed to strike out of the treaties is as follows:

It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under Article I of this treaty, that question shall be submitted to the Joint High Commission of Inquiry, and if all or all but one of the members of the commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this treaty.

The objection of the majority of the committee to this clause is based upon the interpretation which they have adopted for it, the effect of which they hold will be to deprive the Senate of a constitutional right, and they hold further that even if under the Constitution it would be permissible to deprive the Senate of such right it

would be unwise and perilous to do so. If the foregoing statement fairly represents the position of the majority of the committee the issue raised between them and the minority calls for the consideration of what is the proper interpretation to be given this clause and whether it deprives the Senate of a constitutional right, and, also, if it be found that the clause is not in violation of the Constitution, whether its adoption would be unwise and perilous.

A vital difference between the majority and the minority of the committee arises at the outset on the question of the interpretation of this clause. It is stated in the report of the majority that—

A special agreement, coming into the Senate after the joint commission had decided the question involved to be justiciable, could not be amended or rejected by the Senate on the ground that in their opinion the question was not justiciable and did not come within the scope of Article I.

Is this interpretation justified by the terms of the treaty?

In order to answer this inquiry it is necessary to examine, briefly, the terms and effect of the clause under consideration in Article III. This clause provides that in cases in which the Parties disagree (that is, the executive branches of the two governments) as to whether or not a difference is subject to arbitration under Article I of this treaty, *that question* shall be submitted to the Joint High Commission of Inquiry, and if all, or all but one of the members of the commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration (that is, the administrative branches of both governments shall take the steps prescribed) *in accordance with the provisions of this treaty*.

This language does not impair and can not fairly be interpreted as impairing in any way, in cases arising under Article III, the freedom of action reserved to the Senate, with reference to special agreements requiring its approval and consent under Article I. Under Article III the report to the administrative branches of the two Governments would simply be a declaration or decision

by the commission that "the difference is subject" to arbitration under Article I, thus creating a situation exactly similar to that presented in cases where the administrative branches of the two Governments were in agreement instead of disagreement as to the differences being subject to arbitration under Article I.

In the former case under Article I, the administrative branches decide at the outset that the question is justiciable and should be submitted to arbitration. In the latter case the commission decides that the question is justiciable and should be submitted to arbitration. In both cases the subsequent procedure is the same. The rights and duties of the Senate are identical whether the question is referred to that body by the administrative branch in the first instance or after the decision of the commission provided for in Article III.

It is expressly provided in this very clause of the treaty that if the commission reports that a question is "subject to arbitration under Article I" the further proceedings shall be "in accordance with the provisions of this treaty," which can mean nothing else than subject to the provisions of Article I. In other words the requirement of this clause that the question shall be submitted to arbitration if the commission reports that it is a question coming within the scope of Article I means nothing more than that the proceedings shall take the same course as they would have taken if the executive branches of both Governments had originally agreed that the question came within the meaning of that article.

It follows, therefore, that in accordance with the provisions of Article I the next step in the proceedings would be, so far as the administrative branch of this Government is concerned, to enter into a special agreement of arbitration as provided for in Article I, referring the questions in controversy to a tribunal of arbitration. The special agreement would then go to the Senate for its advice and consent. In such case, as in every other case, it would be within the power of the Senate to refuse its advice and consent to the special agreement, but it would be contrary to its treaty obligation.

It is practically impossible that the Senate would ever

have occasion to refuse its approval of the arbitration of a question which the Commission of Inquiry has reported to be within the scope of Article I of the treaty. The treaty provides ample safeguards against any such possibility. In the first place, the question must be reported for arbitration by a vote of all or all but one of the members of the joint commission, one-half of the membership of which commission must be appointed by a President in whose opinion such question is not properly subject to arbitration under the treaties. Passing by the manifest unlikelihood that all three or any two of the members of the commission appointed by the United States would agree that a doubtful question is justiciable, it is within the power of the Senate to require that the President's appointment of the members of such a commission shall be submitted to it for confirmation.

In the second place it is within the power of the Senate to insist upon amendments to special agreements submitting questions to arbitration under Article I, by virtue of which power the Senate can determine the character and composition of the tribunal to which the question is to be referred. In like manner the Senate may also define the scope of the powers of the arbitrators and the question or questions at issue; it may settle the terms of reference and fix the procedure. In other words, the Senate has the power in any case to remake by amendment the terms of the special agreement and to make its approval and consent conditional upon the acceptance of such terms, although it is by no means to be expected that the Senate is at liberty to exercise any of those powers in order to defeat arbitration in a proper case.

As to the interpretation of the provisions of those treaties the language of Prof. John Bassett Moore, of Columbia University, one of the greatest living authorities on the subject of arbitration, is so pertinent that it seems appropriate to incorporate in this report the following extract from an article written by him and published in the current issue of *The Independent*:

In view of all the foregoing considerations, I am clearly of the opinion that the last clause of Article III,

which the committee has recommended should be stricken out of the treaties, does not deprive the Senate of any constitutional right, and furthermore that the proposed treaties are quite the reverse of unwise and perilous, and it is believed further that the majority of the committee would concur in this conclusion if the clause were given the interpretation above set forth.

The foregoing analysis of the treaty provisions seems to establish the correctness of this interpretation beyond question, but if in the opinion of the Senate the meaning of the clause is in any way ambiguous, or there should be any doubt as to its correct interpretation, it is within the power of the Senate to remove such doubt by incorporating in the resolution giving its approval and consent to the ratification of these treaties a declaration that such approval and consent was given on the distinct understanding that the foregoing interpretation is the correct meaning of the clause under consideration, or, if preferred, specific exception could be made of questions not regarded as justiciable in the manner above suggested by my two colleagues. At any rate it is quite unnecessary in order to safeguard national interests or maintain the prerogatives of the Senate to strike out the clause in Article III, as recommended in the majority report. And a resolution in either of the forms suggested can only be justified by the argument that in treaties between nations as well as in contracts between individuals it is desirable that every possible ambiguity of language should be removed and the meaning of the terms of the agreement made absolutely clear.

Of course it is recognized that nations so cherish certain rights and policies as to regard their maintenance as absolutely essential to their very existence. Such rights and policies can not be made subject to arbitration without an abdication of their sovereignty. In this category may be enumerated the Monroe Doctrine and features of our domestic policy, such as the control of immigration. Questions of this nature can not under any national interpretation be regarded as justiciable and hence are not intended to be included in the terms of the treaties.

A further point requires consideration, and that is the statement in the majority report that "to take from the Senate, in any degree or by any means, the power of saying whether a given question is one for arbitration or not is to destroy the power of the Senate on the most important point to be decided in connection with differences arising with any other nation," and the further statement that "even if it were constitutional, to deprive the Senate to this extent of their share in the treaty-making power would be most unwise and perilous."

In respect to the question just raised, the treaties under consideration are exactly similar to the existing arbitration treaties of 1908, by the terms of which every possible difference that may arise of a legal nature or relating to the interpretation of treaties between the parties is required to be submitted to arbitration unless such difference falls within the four exceptions which reserve from arbitration questions affecting the vital interests, the independence, or the honor of the contracting parties, or which concern the interests of third parties.

The existing treaties of 1908 provide, in the very words which have been incorporated in the treaties under consideration, that the special agreements submitting questions to arbitration shall be made by and with the advice and consent of the Senate. The power of the Senate to decide whether or not certain questions should be arbitrated was clearly just as much impaired or surrendered in those treaties as is the right to pass upon an enlarged list of questions in the pending treaties. Arbitration treaties may be special or general; if special, they include single controversies or agreements; if general, they are framed to include all controversies, or specific categories of controversies, as they may arise. The Senate has ratified treaties of both classes, and it is clear that in neither class has it abdicated its prerogatives.

The Senate, in the treaties of 1908, did not reserve the right generally to say whether or not a given question was arbitrable; it only reserved the right to say whether any specific question fell within the exceptions, and

unless it should be extravagantly claimed that all differences would fall within the exceptions—in which case the existing treaties are a farce—the Senate has bound itself in advance under existing treaties to arbitrate without reservation a very large number of questions, and under these treaties it can not in good faith refuse to ratify a special agreement submitting to arbitration a difference which does not fall within exceptions expressly reserved.

It appears therefore that the Senate in approving the existing arbitration treaties and the majority of the committee in approving the enlarged scope of arbitration proposed in Article I, and assenting to the arbitration of all questions within the rule therein prescribed, have shown a willingness to limit in advance the power of the Senate to object to the arbitration of a large number of questions, and it must necessarily be concluded that neither the Senate nor the majority of the committee consider that such limitations is a violation of the Constitution of the United States or that it is unwise or perilous.

THEODORE E. BURTON

SUPPLEMENTARY MATERIAL

PROPOSED SUBSTITUTE FOR THE RESOLUTION OF RATIFICATION

AUGUST 21, 1911.—Presented by Mr. Root, in executive session, made public, and ordered to be printed.

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty between the United States and Great Britain respecting arbitration, signed at Washington on the third day of August, nineteen hundred and eleven.

Resolved further, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, or other purely governmental policy.

[The same resolution of ratification for the treaty with France.]

AMENDMENTS TO RESOLUTION OF RATIFICATION

AUGUST 21, 1911.—Proposed by Mr. Bacon to the resolutions of ratification of the arbitration treaties presented by Mr. Root, made public, and ordered to be printed.

Amend the second resolution by inserting after the word "question" in the fourth line the following words:

which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or monied obligations of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions commonly described as the Monroe doctrine.

So that the said second resolution when thus amended will read as follows:

Resolved further, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or monied obligation of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine, or other purely governmental policy.

Amend further the said resolutions by adding the following as an additional resolution:

Resolved further, That the Senate advises and consents to the ratification of the treaty with the understanding, to be made a part of such ratification, that the treaty does not purport or intend that there shall in any case be denied to the Senate of the United States the full exercise of all the powers and duties conferred upon it by the Constitution of the United States in advising and consenting to the making of treaties and as to each and every part of the same and as to each and every question entering therein; and that nothing in said treaty shall be construed to impose any obligation, legal or moral, upon the Senate to waive its constitutional authority and duty to consider and determine each and every question entering into treaties proposed or submitted in pursuance thereof, including the question whether the matters in difference are arbitrable.

COMMENT ON THE TREATIES

I

[Reprinted from *The Independent*, August 17, 1911]

The framers of the peace pacts concluded with France and Great Britain on the third of the present month are to be congratulated on a notable achievement. Negotiated at the same time and being substantially identical in terms, these treaties, which now await the approval of the United States Senate, represent, altho they originated with the Government of the United States, the result of the combined and deliberate judgment of the three great Powers in whose names they were signed, and bear upon their face the marks of a wise and sagacious statesmanship. They may on the one hand cause a certain disappointment because they do not profess more, and they may on the other hand arouse a certain antagonism because they do not attempt less; but, to the great mass of thoughtful persons, whose minds are not prepossessed either by hope or by distrust, it is believed that an examination of their provisions will carry the conviction that they are judicious and practical measures, well adapted to the attainment of the resolve declared in their preamble, namely, that "no future difference shall be a cause of hostilities" between the contracting parties "or interrupt their good relations."

Let us consider, in the first place, the occasion and significance of the pending treaties. There exist at the present time between the contracting parties certain general treaties, concluded several years ago, by which it was agreed to refer to arbitration differences of a "legal nature, or relating to the interpretation of treaties," provided that they did not "affect" the "vital interests, the independence, or the honor" of the contracting Powers, or "concern the interests of third parties." It is not my desire to figure as a critic of the treaties of which this clause contains the substance. Altho they tended, in my opinion, to impair the force of The Hague convention, I recognize the fact that they were advocated and made by men whose abilities and

motives command the highest respect, and that they were carried thru, not upon the supposition that they were of great intrinsic legal value or by any means to be regarded as final, but apparently upon the theory that the cause of arbitration would be advanced, especially among nations not supposed to be well inclined toward it, by the multiplication of arbitral agreements. Nevertheless, it is obvious that the comprehensive words in the clause above quoted are those of exclusion. The general who, on placing his troops in position, directed their thoughts to retreat by pointing out a way of escape, ought not to have been surprised when, as history tells us, they promptly took it. To the operation of all laws it is admitted that there are certain general exceptions, but it is not usual to devote the text of statutes to the enumeration of them. Even arbitral awards, no matter how absolute may be the terms of the submission, are, as publicists well know, open to attack on the ground of nullity if they violate certain fundamental principles of law or of procedure; but it is not the custom of nations to anticipate in their arbitral agreements the infraction of those principles. But, an even more serious objection to the words in question, is that they were far from measuring up to the standard of actual practise. If, as between the United States and France, they constituted an anachronism, still more were they open to this objection as between the United States and Great Britain, who had on various occasions set the high example, submitting to arbitral decision questions of grave import.

When may it not be said, even as to a difference regarding a general question of international law, that it does not "concern the interests of third parties"? Does not every dispute involve a question of "honor," if one of the disputants sees fit so to regard it? The case of the "Creole" was supposed to involve a question of honor, and may be said to have done so in a very real sense; but, even sixty years ago, after nearly embroiling the United States and Great Britain in war, it was disposed of so quietly by arbitration (by the same mixed commission that passed upon and rejected claims

on account of repudiated bonds of Florida and Texas) that the public scarcely learned what eventually became of it. When the arbitration of the Alabama claims was first proposed, Earl Russell rejected the proposal, on the ground that the controversy involved "the honor of Her Majesty's Government," of which that Government was, he declared, "the sole guardian"; and yet, nine years later, the very question in controversy was determined by the tribunal of arbitration that sat at Geneva. For many years the dispute as to the North Atlantic fisheries was (as the writer had some personal reason to know) discussed as a subject affecting the national honor, but within the past year the fundamental issues have been passed upon by the Permanent Court at The Hague—an achievement which would have been universally agreed to be impossible twenty years ago.

The existing treaties, therefore, have completely ceased to reflect in their terms the standard of what has been actually accomplished. Still less do they represent existing sentiment as to what should be done in the future. Ever since the principle was proclaimed, in The Hague convention of 1899, of "extending the empire of law and of strengthening the appreciation of international justice" by means of "the general and regular organization of the procedure of arbitration," there has been on foot an active and world-wide movement to provide the means for the regular, permanent and systematic application of the methods of mediation and arbitration to the peaceful settlement of international disputes. The countries of Central and South America as well as those of North America are now parties to The Hague convention, while the independent states of America have, thru the International American Conferences, made additional and comprehensive treaties of their own. Consequently, the pending treaties, while they represent the present standard of actual practise among the Powers concerned, respond to the demands of public sentiment among those Powers.

Let us next consider the subjects to which the pending treaties apply. While their object is, as declared in their preamble, to prevent hostilities between the con-

tracting parties, they do not seek to accomplish that end by professing to submit all questions to the decision of an international tribunal, arbitral or otherwise. They provide for two methods of procedure, one of which is decisive, and the other essentially advisory. The first is carried out by means of arbitration; the second, by means of commissions of inquiry. The differences to which arbitration is to be applied are those "relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justifiable in their nature by reason of being susceptible of decision by the application of the principles of law or equity." It is questions such as these, and not questions of policy, such as the Monroe Doctrine, national expansion, and the development of military, naval, commercial or financial power, that the pending treaties include; and it is just such questions as the treaties include that the contracting parties, particularly the United States and Great Britain, have during the past hundred years disposed of by the score under special agreements of arbitration, but only after sharp controversies and numerous suggestions of war. They now propose permanently to establish the means of disposing of them, without the preliminary quarrels and menaces, the consequences of which never could be foreseen.

The proposed institution of commissions of inquiry, the principle of which is derived from The Hague convention, has a two fold object, (1) to obtain the preliminary investigation of questions which it is expected to submit to arbitration, and (2) to obtain an investigation of any other controversy even if it is not agreed to fall within the scope of the stipulation for arbitration. To accomplish either one of these objects, the contracting parties agree to institute a "joint high commission of inquiry," to which each Government, unless they agree to constitute the commission in another manner, is to appoint three of its own citizens. It is expressly stipulated that the report of the commission shall not be regarded as decisive of the questions submitted to it, either as to the

facts or as to the law, and is in no way to have the character of an arbitral award. To this rule there is only one exception, and this is of a limited and qualified character. If the contracting parties differ as to whether the controversy is a proper subject for arbitration, they are to submit this question to the joint high commission of inquiry; and if all the members of the commission but one report that the difference is within the scope of the arbitral stipulation, then it is to be referred to arbitration "in accordance with the provisions of the treaty." What, it may be asked, is the meaning of this phrase?

This brings us to the consideration of the full and ample manner in which the pending treaties provide for the participation of the Senate of the United States in their execution. It will be recalled that, in the case of the so-called Hay treaties of 1903, it was provided that in each particular case there should be concluded "a special agreement defining clearly the matter in dispute" and "the scope of the powers of the arbitrators." The Senate of the United States having substituted the word "treaty" for the word "agreement," so as to require in each case the advice and consent of that body, the treaties were for the time being abandoned. The pending treaties expressly stipulate that the special agreement, which must be made in every case of arbitration, shall be made on the part of the United States "by the President . . . by and with the advice of the Senate," the British Government reciprocally reserving the right to obtain the concurrence of any of its self-governing dominions whose interests may be affected. The claims of the Senate are thus fully recognized, even where the joint high commission of inquiry may have held, by the vote of all or of all but one of its members, that a subject is proper for arbitration; for in no case can a question be arbitrated under the pending treaties without the concurrence of the Senate and its approval of the terms of reference.

Finally, it may be asked, what expectations may be formed as to the effect of the pending treaties? It is reasonable to assume that they will assure continued peace between the contracting parties. This will at any rate be their tendency. More than this cannot be

predicated of any human contrivance. Neither the best considered constitutions nor the most firmly established judicial tribunals have effectually prevented the outbreak of civil strife. The American Civil War took place in spite of the Constitution and of the Supreme Court. This fact is not, however, an argument against the beneficence either of the Constitution or of the Supreme Court. It merely means that emergencies arise, that outbursts of feeling take place, which transcend and override all artificial barriers. In the abundant proofs which history affords of the existence of this human possibility, sufficient consolation may be found by those who may be apprehensive lest the use of force in the world may be too much restrained. Nevertheless, as it is now conceded on all hands that peace rather than war is the normal condition of civilized man, and that progress toward stable conditions of peace can be assured only thru the regulated administration of justice, international as well as national, the pending treaties should be hailed as an evident and enlightened advance in that direction.

JOHN BASSETT MOORE, LL.D.

Professor of International Law in Columbia University

II

[Reprinted from *The Independent*, August 31, 1911]

The issue between the Senate Committee on Foreign Relations and the President as to the constitutionality of the pending arbitration treaties is a very narrow one. It may be stated thus: Can the Senate agree in advance to abide by the decision of some outside authority, as to whether a particular claim is justiciable in its nature?

It is unfortunate that no better word than "justiciable" (which the printers generally insist on making "justifiable") could be found to express the idea of the parties to the treaty. Few people understand its meaning without a lengthy explanation, and any explanation leads toward the borders of obscurity. The treaty tells

us that one reason for holding a claim justiciable may be that its validity can be decided by applying the principles of law or equity. But what is equity, as distinguished from law?

Here, again, is a call for definitions. Does "equity" mean that branch of remedial jurisprudence which, by the old law of England, was kept distinct from what pertained to legal remedies? Certainly it cannot, in the French treaty, be intended that "équité" should be thus understood. France, and the world generally, know "equity" as that which is fair and just, tho perhaps not sanctioned or required by strict and technical rules of ordinary law. It is the *jus æqui et boni* of Roman law.

But few long documents have ever been framed in which words are not so used as to give rise to some controversy as to their precise meaning in that particular connection. A large part of the time of courts, in all countries, is taken up with determining the true construction of written papers.

It may well be anticipated that controversies will arise under these treaties as to the classes of cases which are "justiciable in their nature." How then should they be decided? In the natural course of things, such a dispute would be referred to some designated tribunal for its decision. The President and Senate could certainly agree to this, after the dispute had begun. Why should they not agree to it before the dispute arises?

It is not delegating, but rather exercising their treaty-making powers.

The Supreme Court of the United States, in 1892, made these observations, as to quite analogous action by Congress:

"It is no new thing for the law-making power, acting either through treaties made by the President and Senate, or by the more common method of acts of Congress, to submit the decision of questions, not necessarily of judicial cognizance, either to the final determination of executive officers, or to the decision of such officers in the first instance, with such opportunity for judicial review of their action as Congress may see fit to authorize or permit."*

* *Fong Yue Ting v. United States*, 149 United States Reports 649, 714.

Nearly forty years ago an Act of Congress was passed and is still in force (U. S. Revised Stat., §398) providing that

"the Postmaster-General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage on mail-matter conveyed between the United States and foreign countries."

Here the Senate, the House of Representatives and the President concur in giving a full warrant to a Cabinet officer to conclude any treaty or convention on an important subject, on obtaining the further consent of the President, but without obtaining the further consent of the Senate. Numerous and beneficial conventions with foreign Powers rest on the foundation of this statute.

So Congress has given the President power to decide whether the legislation of a foreign country is such as fairly brings it within the scope of a reciprocity tariff act, or a treaty of reciprocity.

The Supreme Court of the United States has said, in a leading case, with regard to a statute of this character, that the President's making such a decision was not legislation, nor an exercise of the treaty-making powers; but that he was acting as "the mere agent of the law-making department, to ascertain and declare the event upon which its express will was to take effect." *

So here, the treaty, if ratified by the Senate, would indeed authorize the Joint High Commission of Inquiry by a decision that was unanimous or nearly so, to determine absolutely whether a certain claim was or was not justiciable; but the discharge of the function by them would be simply the execution of an authority to see that the treaty is carried out, according to its true intent and meaning. The distinction is between, on the one hand, a power to make—or join in making—the law (which necessarily calls for the exercise of discretion, and a choice between different policies), and on the other hand, acting under and pursuant to the law, that is, carrying out an authority conferred by the law-making power in order to secure the proper execution of the law.

* *Field v. Clark*, 143 United States Reports, 640, 692-694.

The door to the negotiation of treaties of this class was opened wide by Congress in 1890, by a concurrent resolution requesting the President

"to invite from time to time, as fit occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the two governments which cannot be adjusted by diplomatic agency may be referred to arbitration, and be peaceably adjusted by such means."

It seems ungracious for the Senate, after uniting in this overture to the world, to insist on so rigid a doctrine as to the delegation of the treaty-making power. At bottom, it is the not unnatural outgrowth of the fact that the Senate, under our constitutional system, stands for the several States, and is really a diet of deputies from different political sovereignties, meeting on a footing of equality.

It was given this position to make sure the rights of these States respectively, as against any exercise of the powers of the United States as a whole. It was not given it to reduce the treaty-making power of the United States by forbidding them either to agree in advance to what they would do in a certain event or to agree in advance to make the decision of some independent tribunal in effect, their decision, in determining whether that event had occurred.

SIMEON E. BALDWIN, LL.D.

Governor of Connecticut
Ex-Chief Justice of Connecticut
Ex-President of the American Bar Association

HARTFORD, CONN.

III

[FROM AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES
BEFORE THE AMERICAN BAR ASSOCIATION, BOSTON, AUGUST 31, 1911]

* * * * *

And now there comes from the successful operation of the Supreme Court, a tribunal appointed to decide, as Mr. Justice Brewer said in one case, all the justiciable questions arising between foreign states, the suggestion that we ought to apply the same system and carry

it further as far as we may to the settlement of controversies between nations. It is coming slowly, but I believe it is coming. We have negotiated two treaties, one with France and one with England, and we have constituted two tribunals. First a tribunal of arbitration pure and simple, to decide justiciable questions, and they are defined to be questions requiring for their solution principles of law and equity including both domestic and international law. To the second tribunal, a Joint High Commission, consisting of three representatives of the two parties, is committed not only the negotiation and recommendation in an advisory capacity as to controversies arising, but also a power of final decision by a vote of five to one as to whether questions in respect to which the parties differ as to their justiciable character are justiciable and come under the first section of the treaty. Now, I state this just for the purpose of appealing to lawyers. The majority of the Committee on Foreign Relations in the Senate has said that to enter into an agreement of this sort by the Senate is for the Senate to delegate some powers that were conferred upon it by the Constitution. Well, there were not any more powers conferred by the Constitution upon the Senate with reference to making treaties than there were upon the Executive. I think that is pretty plain, because the Executive has to initiate, and, of course, has to agree to the treaties before they can go into force. Now, my proposition is this: that if the Senate has power to make an agreement which shall bind it and the Government—or rather, which shall bind the Government and therefore bind it—to consent to the adjudication of any class of questions arising in the future by a Board of Arbitration, then it necessarily follows that it has the right to consent to this treaty. For the reason that the question arising before this commission is —what? It is the question of the construction of the first section of the treaty, and the class of questions most likely to arise in arbitration cases is that of the construction of treaties. Therefore, all the Senate agrees to do is to abide by the judgment of this Joint High Commission as to what the construction of that clause shall be in the future when

the cases arise. In other words, it is only agreeing to do what it has already agreed to do in a dozen of cases, namely, to abide the arbitration of a tribunal as to certain classes of questions that arise in the future. They have done that. Therefore, they have admitted the power to bind themselves to abide the judgment as to certain classes of questions in the future, and this is only one of a class, to wit, one of a class of construction of the treaty.

Now, I am most anxious that that feature of the treaty should be allowed to remain in, and I am anxious because I want to make this treaty mean something, I want to have it have a binding effect—to accomplish something. You know they say the Indians when they are sick don't like any medicine except something that bites—something that is bad to take. Now, I do not think we are going to get ahead with this arbitration business unless we are willing to assume an obligation to execute a judgment that may bite and may be bad for us to take; and, if we are going to take the position that we will wait until the question arises and then conclude, because we do not think we can win in the arbitration case, that it is not a justiciable question, then we have written our promise in water and we have made agreements that will dissolve under the test of experience. And when that shall arise and the result follows which may be anticipated, then instead of promoting the cause of arbitration we shall have interfered with it, obstructed it and made it a laughing stock for nations.

LIST OF PUBLICATIONS

Up to the limit of the editions printed, any one of the following will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y. :

1. Program of the Association, Baron d'Estournelles de Constant. April, 1907.
2. Results of the National Arbitration and Peace Congress, by Andrew Carnegie. April, 1907.
3. A League of Peace, by Andrew Carnegie. November, 1907.
4. The results of the Second Hague Conference, by Baron d'Estournelles de Constant and Hon. David Jayne Hill. December, 1907.
5. The Work of the Second Hague Conference, by James Brown Scott. January, 1908.
6. Possibilities of Intellectual Co-operation Between North and South America, by L. S. Rowe. April, 1908.
7. America and Japan, by George Trumbull Ladd. June, 1908.
8. The Sanction of International Law, by Elihu Root. July, 1908.
9. The United States and France, by Barrett Wendell. August, 1908.
10. The Approach of the Two Americas, by Joaquim Nabuco. Sept., 1908.
11. The United States and Canada, by J. S. Willison. October, 1908.
12. The Policy of the United States and Japan in the Far East. November, 1908.
13. European Sobriety in the Presence of the Balkan Crisis, by Charles Austin Beard. December, 1908.
14. The Logic of International Co-operation, by F. W. Hirst. January, 1909.
15. American Ignorance of Oriental Languages, by J. H. DeForest. February, 1909.
16. America and the New Diplomacy, by James Brown Scott. March, 1909.
17. The Delusion of Militarism, by Charles E. Jefferson. April, 1909.
18. The Causes of War, by Elihu Root. May, 1909.
19. The United States and China, by Wei-ching Yen. June, 1909.
20. Opening Address at the Lake Mohonk Conference on International Arbitration, by Nicholas Murray Butler. July, 1909.
21. Journalism and International Affairs, by Edward Cary. August, 1909.
22. Influence of Commerce in the Promotion of International Peace, by John Ball Osborne. September, 1909.
23. The United States and Spain, by Martin Hume. October, 1909.
24. The American Public School as a Factor in International Conciliation, by Myra Kelly. November, 1909.
25. Cecil Rhodes and His Scholars as Factors in International Conciliation, by F. J. Wylie. December, 1909.
26. The East and the West, by Seth Low. January, 1910.
27. The Moral Equivalent of War, by William James. February, 1910.
28. International Unity, by Philander C. Knox. March, 1910.
29. The United States and Australia, by Percival R. Cole. March, 1910.
30. The United States and Germany, by Karl Von Lewinski. April, 1910.
31. The United States and Mexico, by James Douglas. May, 1910.

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THE ANGLO-AMERICAN ARBITRATION TREATY

BY

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AND

FORCES MAKING FOR INTERNATIONAL CONCILIATION AND PEACE

BY

HON. JACKSON H. RALSTON



DECEMBER, 1911, No. 49

American Association for International Conciliation
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New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 22.

The following pamphlet, not in the regular series, has been printed in German, and may be had on application: "Deutschland und Grossbritannien; eine Studie über Nationale Eigentümlichkeiten"; a translation of an address before Oxford University by Lord Haldane, British Secretary of State for War.

THE ANGLO-AMERICAN ARBITRATION TREATY

INTRODUCTION

No publicist is better known than Dr. Lammesch in connection with the recent progress of arbitration; no member of the Permanent Court of Arbitration created by the Hague Conferences has had greater experience than he in the actual adjustment of international controversies which have been submitted to the Permanent Court; and no European publicist has a deeper knowledge of the history of arbitration, the progress made and the progress possible through the negotiation of treaties of arbitration.

Dr. Heinrich Lammesch, author of the present article on the pending treaty of arbitration between Great Britain and the United States, has been professor of international and criminal law at the University of Vienna since 1889; he was technical delegate of Austria-Hungary at the First and Second Hague Conferences, held respectively in 1899 and 1907, in which capacity he took special interest in the creation of the so-called Permanent Court of Arbitration, in questions pertaining to the negotiation of general treaties of arbitration, and in the necessity of creating a truly permanent court of arbitration as proposed by the American delegation to the Second Conference.

Dr. Lammesch has had the good fortune to sit in the Court which he helped to create, both as arbiter and president. In the controversy between Germany, Great Britain and Italy against Venezuela regarding preferential treatment in the payment of their claims, Dr. Lammesch was a member of the special tribunal which decided the question in 1904; in the controversy between France and Great Britain, concerning the Mascat Dhows, Dr. Lammesch was president of the special tribunal; in the North Atlantic Coast Fisheries Arbitration of 1910, Dr. Lammesch was president of the special tribunal; and in the still more recent controversy between the United States and Venezuela, concerning the Orinoco Steamship Company, decided in October, 1910, Dr. Lammesch was likewise president of the special tribunal.

It is therefore a source of inspiration to the advocates of arbitration that a man of Dr. Lammesch's theoretical and practical training and experience should approve the proposed treaty between Great Britain and the United States, and that he has written this article for the "*Oesterreichische Rundschau*" (October 2, 1911) explaining, within the compass of a few pages, the interest which the United States and Great Britain have taken in arbitration and the influence which the former country has exercised both in the matter of arbitration and in the peace movement itself.

Dr. Lammesch carefully and properly avoids discussion of the differences of opinion which have arisen in the matter of the ratification of the treaty, contenting himself with expressing the hope that these differences may be composed. It is not too much to say that the hope of Dr. Lammesch is the hope of the friends of arbitration and the peaceful settlement of international disputes, not only in the United States but in Europe as well; for the failure to secure adequate treaties of arbitration will not merely disappoint believers in the peaceful settlement of international disputes but will retard the movement in their favor which has made such enormous strides since the first modern treaty of arbitration was concluded in 1894 between Great Britain and the United States.

The idea of International Arbitration as a means of settling differences between states and of averting wars is rooted deeper in the social conscience of Englishmen and Americans than in other nations. And that, doubtless, because in England and America it is not only the product of utilitarian considerations but the postulate of religious convictions. Only a few weeks ago Carnegie declared that, ruinous as may be the costs of a war, they are "nothing in comparison to its iniquity." The widespread "Society of Friends" or Quakers, especially, have not wearied for more than a century in their efforts against war and in behalf of conciliation, but indeed all other religious bodies in England, Scotland, the United States, and Canada participate with the fullest zeal in the agitation for International Arbitration,—and with them naturally (as is peculiarly interesting to us Austrians) the Catholic Church. Just as in England Cardinal Vaughan took a particularly ardent stand beside Gladstone and Roseberry in favor of arbitrating the controversy with the United States in the Venezuela crisis of 1895–6, so in America it was again Cardinal Gibbons who repeatedly urged the conciliation of international disagreements, most notably on the occasion of the meeting of the National Arbitration Committee at Washington in 1894. In 1815 and 1816 the first Peace Societies were founded in New York and London and opened a tireless propaganda for Arbitration, which, to be sure, not infrequently degenerated into utopian extravagance. It was an Englishman, Mr. Cremer, who promulgated the constitution of the Interparliamentary Union for Arbitra-

tion,* his initiative being, as we know, followed by our countryman, Robert von Walterskirchen. England and America lead, moreover, in the practise of Arbitration. Both states have settled a far greater number of controversies by this method than any other power. Of the 177 cases of Arbitration in the 19th century England and America share 126. With a single exception, they have brought to a conciliatory conclusion the many differences arising between themselves. Only a few years after the conclusion of the American War of Independence, as early as 1794, the convention known as Jay's Treaty marked the beginning of the modern era of Arbitration. For, although Arbitration was not unknown in Ancient Greece and was frequently resorted to in the "dark" Middle Ages, this method of settling disputes between states had been almost forgotten after the demoralization which befell about the time of the Thirty Years' War and the religious conflicts in England and France. Jay's Treaty established three courts of arbitration,—the first to fix the boundaries between Canada and the United States, the second to compensate the British subjects who had remained loyal, and the third to indemnify American shipping interests. After the War of 1812 four courts of arbitration were instituted to adjust the Canadian boundaries. The Treaty of Guadelupe-Hidalgo (1848) ended the Mexican War, which is now characterized as unjust by American writers and which was occasioned only by the oligarchy of slave-holders; it set forth explicitly in Article 21 an agreement to arbitrate future controversies between the states "in so far as this is not manifestly incom-

* (Oesterreichische Rundschau [Austrian Review] XXIX., 1.)

patible with the nature of the difference and the circumstances of the case."

The Treaty of Washington in 1871, like the Treaty of 1794, averted the outbreak of a seemingly inevitable war. The United States had formally demanded indemnification by Great Britain for the losses which had been inflicted on the commerce of the Union by Confederate privateers, fitted out in English ports during the Civil War. America proposed a settlement by arbitration, which, however, Earl Russell declined in 1865, as inconsistent with "the dignity of the British throne and the honor of the British people." Only a few months later there set in a revolution of public opinion and feeling subsided. And so, in 1871, Lord Granville consented to arbitrate. To be sure, the award of a court in the Alabama question, obligating Great Britain to the payment of fifteen and a half million dollars, excited much ill-feeling in the United Kingdom. Nevertheless, the very next controversy which arose between the two countries, with respect to seal fishing in Behring Sea, was again arbitrated. In this case Great Britain's understanding of the matter was sustained. The controversy between Venezuela and Great Britain over the boundaries of British Guiana, though only involving the United States indirectly, threatened, in 1895, to lead to war between the latter countries—since President Cleveland, appealing to the Monroe Doctrine, wished to prevent an expansion of British dominion upon the American continent. But in this case too both powers finally united upon a court of arbitration, which decided the question in 1899. In the course of negotiations over the appointment of this arbitration court at Paris, Secretary of

State Olney and the British Ambassador, Sir Julian (later Lord) Pauncefote, went so far as to agree upon the conclusion of an all-inclusive arbitration treaty. In many respects this forms a model for the treaty of August 3d of this year. This proposal would be the realization of resolutions which had been passed repeatedly by the legislative bodies of both countries, and in regard to which Gladstone had expressed himself in 1849 as severely opposed, in 1873 as cautiously reticent, and in 1893 as decidedly in accord.

The Olney-Pauncefote Treaty divided all controversies between the two powers into three categories. In the first fell all money claims up to \$500,000 in amount. An arbitration board of three members—two representative judges and a neutral umpire—was to pass definitely upon these cases by majority vote. The second class constituted claims above \$500,000, and all grievances between the states not of a territorial nature. A board of three was to pass upon this class too, although its findings, unless unanimous, would be provisional and subject to final revision by a court of five arbitrators. In the third category belonged all mooted questions of territorial nature. Such were to be referred to an arbitration board composed of six members, chosen from the highest judicial officers in each country. The decision of this board was to be definitive only when at least five members had approved it—that is, not until two of the arbitrators chosen by one side had joined with the three of the opposition. If only one arbitrator of either side should agree with the three of the other, or if only two of each side should unite, either nation would have the right within three months to declare the decision at

fault and to set it aside. Nevertheless, even in case the verdict should be so invalidated or in case a decision should not be reached by so much as a bare majority, both nations would still be bound not to undertake any hostile steps against each other—any reprisals, or tariff-war, or the like—before the intermediation of one or more friendly powers had been sought. Moreover, should a court sitting in a controversy that did not concern territorial questions, nor the claims of private individuals (and voting by simple majority merely), find, upon the motion of either side, that the case at issue involved a fundamental question in international law of great and general importance, then an additional court of six national arbitrators (with the above-cited restrictions upon its verdict) would be convoked.

These provisions, then, would bring it about that a decision in particularly important questions should become effective only when it was so obvious that even some of the representatives of the less favored power would approve it. Otherwise, arbitrators were to be appointed to arrange a compromise reasonably satisfactory to both parties. In case, however, that neither decision nor compromise could be reached, both nations pledged themselves not to rush to arms nor to undertake any hostile actions against each other immediately. Both sides were to be given time to reflect and to cool their passion. It was hoped that deliberation would move them to mutual concessions. In questions of right, justice would almost never be wholly upon one side. In questions of expediency a compromise could be usually reached that would be preferable to the enormous sacrifices of

a modern war. This interval, to be sure, could also be used for armament. But the direct preparations for war would be so excessively costly and so disturbing and ruinous to general trade that neither side would be readily expected to carry them through to the end. The foretaste of war would be so bitter, it was hoped, as to discourage actual warfare. Unfortunately, the Olney-Pauncefote Treaty was not ratified by the American Senate—it would seem really for reasons of party policy. At the final ballot three votes were lacking of the necessary two-thirds majority.

In spite of the rejection of the treaty by the Senate, the dispute over the boundaries of Alaska, which had suddenly become significant on account of the gold fields of the Klondike, was adjusted shortly afterward by a court of arbitration, similar in constitution to that which the Olney-Pauncefote Treaty had in view for territorial controversies. The court in the Alaskan matter consisted of three American and three British members, without neutral umpire. It decided by a vote of four to two—the Lord Chief Justice of England, Lord Alverstone, siding with the three American judges—upon boundaries in the main favorable to the United States.

In the year 1908 an Arbitration Treaty was at last concluded between Great Britain and the United States. It was limited, however, to controversies which were legal in kind or which might arise in the interpretation and application of agreements, and touched neither the vital interests and the sovereignty nor the honor of either nation. On the basis of this treaty, differences of almost a century's standing between the two powers over the extent of the fishing

rights belonging to American citizens on the coast of Canada and Newfoundland were settled last year. The fact that the decision of the Board of Arbitration, in which sat a Canadian and an American, was unanimous and satisfactory to both sides, stimulated in both countries the notion of a general, all-inclusive Arbitration Treaty. On both sides of the ocean voices of highest civil and ecclesiastical officers, of private and public assemblies, grew more and more numerous in demanding the conclusion of such a treaty. The leaders of both great parliamentary parties in England declared themselves fully in sympathy with the initiative taken by President Taft and his Secretary of State, Knox. In a time of violent factional strife, Asquith and Balfour were just as much one on the Peace Question as were the Republicans and Democrats in America. Indeed, it seemed as if the centennial of the condition of peace between Great Britain and the United States in 1914 could not be ushered in more fitly than by the conclusion of such a treaty.

The great excellence of the treaty which was arranged on August 3d of this year, between Secretary of State Knox and the British Ambassador, James Bryce, is that it does not luxuriate in utopian schemes but rather rests upon the hard ground of reality. Here, too, the master-hand reveals itself in restraint. In contradistinction to many all-inclusive arbitration treaties of the South American Republics, which are hardly concluded ere they are broken, this treaty does not explicitly deny the theoretical possibility of war between the two countries, but rather does everything to prevent this possibility from becoming actuality. One recognizes in this that James Bryce,

who is one of the greatest scholars of juristic history and one of the most important political philosophers of the present time, has had a hand in its drafting.

The Preamble of the Treaty sets forth that both powers are actuated by a wish to maintain permanently the peace which has happily existed between them since the Treaty of Ghent in 1814, and which has never been interrupted by an appeal to arms; that this peaceful status has been strengthened of late by a series of conventions, whereby controversies between them have been disposed of by agreement or arbitration; that they are resolved that future differences, too, shall not lead to hostilities or interrupt their friendly relations; wherefore they have considered a peaceful method of solving all questions which cannot be settled by diplomatic means.

According to Article I, all future differences of an international character between the two powers, which cannot be settled by diplomacy and which are capable by nature of a judicial disposition in accord with the principles of Law or Equity,—shall be referred to the Hague Peace Court. In case of a difference of opinion upon the question whether the controversy in point is by nature capable of such settlement, a Commission shall decide, being constituted of three regular members designated by each nation (and sitting without a neutral umpire). If at least five members of this Joint Commission declare the question is capable of arbitration, both powers are pledged to settle it thus. At this point we can see already a revival of the basic idea of the Treaty of 1897, which had been taken up subsequently by Sir Thomas Barclay in England and by the former Secretary

of State Foster in America. It is even more patent in the next provision. Upon the demand of a part of such a joint high commission, even controversies which are not capable of arbitration according to Article I must, nevertheless, be subjected to an impartial and conscientious inquiry. In such a case the commission would act after the analogy of the Commissions Internationales d'Enquête, which, instituted by the first Hague Conference, have so auspiciously proved their worth in the Huller case, their functions being to bring to light the underlying causes of the controversy in so far as the examination of sworn testimony can do so, to define the points at issue, and in its report to make recommendations which seem favorable to the settlement of the disagreement. It is emphasized expressly that the finding of the Commission has not the meaning of an arbitration or other decision either in questions of fact or of principle. It shall be effective only through its moral influence, through the prestige of the commission rendering it. Just for this reason the choice of the personnel is of the highest importance. Let the selection proceed with the same circumspection which marked, for example, the case of the North Atlantic Fisheries. The arbitrators belonging to the controversial states—on the one hand Sir Charles Fitzpatrick, the Chief Justice of Canada, and on the other Justice Gray, of the American Circuit Court—regarded each other as judges rather than as the representatives of parties, and they showed this in their decision. If this careful selection of arbitrators continue, there can be no doubt as to the outcome.

As is known, the Committee on Foreign Affairs in the United States Senate has proposed a series of

amendments and has thereby endangered the ratification of the treaty, for reasons which it is difficult to explain to those uninitiated in the relations of legislative bodies in America. Suffice it that for two decades Presidents Garfield, Arthur, McKinley, Roosevelt, and Taft and their Secretaries of State,—among whom Root is especially prominent as one of the most active champions of arbitration,—on the whole, have been far better disposed to Arbitration than has the Senate. Considering that the Conciliation Movement has gained mightily in depth and breadth in recent years, we may hope that it will be successful in overcoming these obstacles. The legal department of the Carnegie Foundation, under the sterling leadership of Professor James Brown Scott, will find here a profitable field for its activity.

HEINRICH LAMMASCH

FORCES MAKING FOR INTERNATIONAL CONCILIATION AND PEACE

At the entrance to the bridge leading from the little German town of Klein Basle over the Rhine to the Swiss city of Basle, there is, or was, until recently, a bronze statue, so grotesquely arranged that upon the stroke of the hour, it made a contemptuous grimace toward the larger place, thus expressing the distrust, contempt and hatred felt by the inhabitants of Klein Basle toward those of Basle.

The illustration is typical of the feeling in the beginning of the people of different neighborhoods toward each other. Those separated by a river were enemies. The people beyond the mountains were debased and perverted characters. The villagers across the lake had no saving virtues. Those over the desert or the other side of arms of the sea were scarcely of the same race. If one travelled a few miles he was among pagans and heathens. If he journeyed among men of a different color he became a foreign devil. If men were powerful enough, they enslaved first those of their own race but of another neighborhood, and with rising civilization those who were merely of a different color. In either instance, they degraded their fellows and denied to them human or divine attributes.

But despite all our narrowness and littleness, there came to grow a sense of truth, opposing all our prejudices which themselves arose out of our predilection for the things to which we were accustomed, and made our

education itself an inheritance from our ancestors' surroundings. We appreciated, dimly and imperfectly at first, then more clearly, that after all, in the measuring of human qualities, notwithstanding our natural preferences for our own, the characteristics which distinguished our neighborhood or nation or people might be balanced by those which a different environment or experience might have developed in others.

The education or qualities which under certain conditions have brought to us success in life, may, if we be suddenly transported, count for little or nothing under other suns. The Englishman, suddenly finding himself in a desert, may perish for the want of special training, while those whom he calls savages, but who are only differently educated, may there find sustenance and comfort. The mental qualities which enable each individual white man, conducting himself selfishly, taking little thought of his fellow, to live with satisfaction, find a substitute in the generosity of the man of the wilds, who knows little of individual ownership, but fully recognizes a natural obligation to his less fortunate fellows. The austerity of one race is perhaps offset by the courtesy of another. The matter-of-fact man or nation finds his or its counter-balancing quality in the imagination or art-sense of another.

It turns out, on thoughtful examination and widening experience, that no one nation is at all times sufficient unto itself. As this knowledge comes, not alone to one country, but to all, the need of living together amicably and the appreciation of the labors of our fellows placed by force of circumstances under

different surroundings grows stronger and stronger. We perceive that the words of Goldsmith, spoken of nations, have a broader meaning than he had in mind when he wrote:

* * * if countries we compare
And estimate the blessings which they share,
Tho' patriots flatter, still shall wisdom find
An equal portion dealt to all mankind.

All things tend toward unity of feeling among nations. Every traveller who crosses the Atlantic, whether he start from the East or from the West, brings about a better understanding between nations. Every railroad train crossing a frontier, every ship plying over separating waters, every cable conveying news from foreign nations, every exchange of letters or business, every book of travel, every useful or agreeable article of foreign production, every sale of our own produce or manufacture to foreign lands, is a civilizing agent, containing in itself the germ of destruction of old national prejudices and hates. In our land the traditional stage Irishman, or German or Jew is disappearing. If we still laugh at the representation of a foreigner in the theatre, it is not empty ribaldry, but only the amusement we may indulge in over the foibles of our best friends. Indeed, we may sympathize with the pathos of the position of the foreigner.

We borrow from other nations, sometimes, it is true, the worst, but more often the best, in them. If England politically gives us Adam Smith and John Stuart Mill, we return our ideas of political machinery, and from an American author Lloyd-George finds inspiration for his most philosophical utterances. The

French Pasteur and the German Koch teach us truths beneficial to humanity, and the death of Tolstoy leaves a score of nations mourning. A better knowledge of Confucius and a sympathy with Chinese aspirations causes us to regard the individual Chinaman with a new forbearance. The death of the Chilian Ambassador furnishes us an opportunity of placing an American war ship to a more friendly and therefore a saner use than was ever designed for it.

There is a levelling process going on among nations—levelling in more senses than one. We borrow from each other, as shown, institution, literature and customs, sometimes appropriately, sometimes, it is true, making misfits, with grotesque consequences. At all events, we grow more and more alike in externals, which, sooner or later, in greater or less degree, affect mental attitudes and attributes. In the end the railroad men of lines between New York and Washington and Joppa and Jerusalem must resemble each other in their habits of mind and moral qualities more than did their great-grandfathers. The Parliamentarians of Turkey and the Congressmen of the United States have infinitely more in common than their fore-father sheiks or attendants upon New England town meetings a hundred years ago. The bonds of sympathy between them have become infinitely stronger and have multiplied.

The world is training itself up for a new era. Saracen and Christian once took delight in mutual slaughter. Their old prejudices are breaking down. The situation between Basle and Klein Basle is today an anachronism. We look with pitying wonder or amused contempt upon the state of mind which made men separated by

a slight obstruction natural enemies. Travel, education, the press, which daily summarizes the striking events of a whole world, make the whole world kin and compel a sympathy for, and forbid our indifference to or rejoicing over, the sufferings of any portion of mankind.

Day by day and year by year this sympathy grows. Our business, using the world broadly, is no longer merely the business of our little neighborhood, our city, our state, our nation. It is the business of the whole world. We cannot calmly regard injustice to a Chinaman or Jew or Armenian or Spaniard or black man. We may not, without accusing consciences, as a nation commit injustice upon another nation. Our actions must measure up to the standard of justice required by all the civilized nations of the world. Smaller countries are safer than ever before, even tho in the neighborhood of immensely greater powers.

The self-respect and the desire for the respect of others which prevent a stronger man from committing actions of physical oppression upon a weaker one is beginning to have its effect upon the dealings of a great nation with its smaller brothers. And this feeling grows, as I have indicated, out of the regard each has for the other, proceeding from the realization of the benefits each brings to the common service of humanity. It is easier to be brutal to a slave or one unprotected by public opinion than to injure a co-worker who brings to our common store experiences or qualities mutually advantageous. With king-craft trembling, the foundations of aristocracy loosening on the one hand and the standard of living and intelligence of the humblest rising on the other, we are

pulling down and building up humanity to a common level, and making it generously alive to the interest of all, irrespective of race or nation.

Only a superficial view justifies the idea that wars today, more than in days past, are prevented by considerations of their cost or destructiveness. The spirit of the gamester has been shown on a magnificent scale in war. Savage tribes in warfare put at issue their existence, tribal and individual. The wars of Rome meant to it or to its enemies ravages to which modern times offer no parallel. The thirty years' war left Germany desolate and prostrate as no more modern war has left any considerable nation, or probably ever will. Ambition, today morally indefensible, brought many such a conflict to pass.

Buckle was unable to find that human nature had materially changed in two thousand years. Fear of consequences will no more control the mad man or nation of today than it has done like men in ages past, but the things which make nations mad are disappearing. The democratization of the world is minimizing the effects of the private ambitions of the rulers. The democratization of the masses, their growing intelligence and intercourse, is making them regard other men simply as co-workers—friendly, not hostile rivals—in the fruitful vineyard of the world. If all this be true, the world is preparing itself for peace, and this we may believe despite the frantic and for the moment, successful, effects of designing and ambitious men to turn it into an armed camp.

Our duty and our pleasure it is to make easy and natural the ways of peace. The custom of peacefully solving international disputes is growing faster than

the custom of war. War goes out of fashion—peace comes in. For stage purposes we keep up the pomp and panoply of war, just as in the theatre we often prefer knee breeches and shoe buckles and impossible peasants to the less picturesque realities of modern life.

For the first three years of its existence no case was heard before the Permanent Court of Arbitration at The Hague. The United States and Mexico in 1902 gave it its first vogue. Up to the present, nine cases involving money questions, territorial questions, questions of interpretation of treaties and of "honor" have been heard and determined, and several others are on their way. During the same period in other manners a number of international disputes have been judicially arranged. The habit of making such settlements is being established; a habit year by year more difficult to lay aside. The true foundation of such custom we have endeavored to show lies, not in a change of human instincts, but in a change of attitude of men toward each other and the ignoring of boundaries as barriers to the exercise and preservation of justice. As indicated, all this finds evidence in the growth of conciliatory measures and of judicial proceedings. The words of Pascal, of near three centuries ago, seem prophetic of present day conditions: "When it is a matter of judging if we should make war and kill many men, condemn to death many Spaniards, one man alone is judge and he an interested party. It should be an indifferent third."

Summing up the argument, we find that growing resort to conciliation is a result of modern conditions rather than a cause. Human nature is not changing,

but politeness and the underlying ground of politeness, sympathy and recognition of common needs, is growing more universal. Instead of fear of the consequences of war leading to peace, a better comprehension of the equality of the individual is the real pacifier. A hesitancy to condemn men unheard to suffering and death—men whose rights are equal to our own—is the mainspring of modern action. That this feeling finds scant proclamation signifies little; that it exists, and is growing with unparalleled rapidity is the most important thing in civilization. Right-doing between nations becomes the practice, as contempt for the national wrong-doer becomes world-wide.

JACKSON H. RALSTON

LIST OF PUBLICATIONS

Nos. 1-48, inclusive (April, 1907-November, 1911). Including papers by Baron d'Estournelles de Constant, George Trumbull Ladd, Elihu Root, Barrett Wendell, Charles E. Jefferson, Seth Low, William James, Andrew Carnegie, Philander C. Knox, Pope Pius X, and others. A list of titles and authors will be sent on application.

Special Bulletin: The Dawn of World Peace, by William Howard Taft, President of the United States. November, 1911.

In German: Deutschland und Grossbritannien; eine Studie über Nationale Eigentümlichkeiten, by Lord Haldane.

49. The Anglo-American Arbitration Treaty, by Heinrich Lammasch; and Forces Making for International Conciliation and Peace, by Jackson H. Ralston. December, 1911.

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y.

A small edition of a monthly bibliography of articles having to do with international matters is also published and distributed to libraries, magazines and newspapers.

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INTERNATIONAL CONCILIATION

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FINANCE AND COMMERCE THEIR RELATION TO INTERNATIONAL GOOD WILL



Papers by Sereno S. Pratt, Secretary of The Chamber of Commerce of the State of New York; Isaac N. Seligman, of Messrs. J. and W. Seligman & Co.; E. H. Outerbridge, of Messrs. Harvey & Outerbridge; Thomas F. Woodlock, former editor of *The Wall Street Journal*; and George Paish, editor of *The London Statist*.

JANUARY, 1912, No. 50

American Association for International Conciliation
Sub-station 84 (501 West 116th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on pp. 60 and 61.

The following pamphlet, not in the regular series, has been printed in German, and may be had on application: "Deutschland und Grossbritannien; eine Studie über Nationale Eigentumlichkeiten"; a translation of an address before Oxford University by Lord Haldane, British Secretary of State for War.

CONTRIBUTION OF COMMERCIAL BODIES TO INTERNATIONAL UNITY

It would be easy to prove by commercial statistics and historical references the truth of the general statement made by John Ball Osborne in his essay on "the influence of commerce on the promotion of international peace," that:

"Commerce is vitally dependent upon peace."

Take as one piece of statistical evidence the records of American shipping. Before the Civil War the United States had a splendid merchant marine engaged in the foreign trade. In 1860, the year before the outbreak of that conflict, 65.5 per cent of our foreign commerce was carried in American vessels. In 1865, at the conclusion of the war, only 27.7 per cent of our exports and imports were transported in ships carrying the American flag. Our merchant marine has never recovered from the deadly blow administered to it by that war. It has steadily declined ever since, and, in 1910, the proportion of our commerce carried in our own ships was only 8.8. Doubtless other causes contributed to this decline, but war was the overwhelming catastrophe.

War is always disaster. It never creates wealth. It sometimes benefits one nation but always at the expense of another. It frequently produces money inflation, and nearly always results in political corruption; and this inflation and this corruption have the temporary effect of promoting speculation, high prices, and a fictitious prosperity, that soon collapses. There are people who argue that wars result in good. As a matter of fact, they are worse than earthquakes and fires, in their destruction of property. Nearly

every great panic was preceded by a great war—the panic of 1858 by the Crimean War; the panic of 1873 by the American Civil War and by the Franco-Prussian War; and the panic of 1907 by the Russo-Japanese War. The immense sums which are yearly diverted from commercial enterprise in order to defray the costs of military establishments are a heavy tax on business and serve to retard prosperity.

Inasmuch, therefore, as commerce is vitally dependent on peace, the Chamber of Commerce is naturally an aggressive promoter of the cause of peace. Of course, it is something more than a peace society, and at times it becomes indeed a militant organization. It necessarily champions the competitive interests of the particular locality which it represents. To this extent it is provincial; but as modern trade expands to world-wide dimensions and as a new and better political economy recognizes the fact that commerce is not necessarily war, but reciprocal advantage, the work of the Chamber of Commerce serves to advance international unity. In another place I have defined a Chamber of Commerce as "an association of merchants for the purpose, through coöperation, of promoting the interests of commerce; and as commerce requires, for its advance, peace, prosperity, good government, sound currency, honest banking, quick, reliable and reasonable means of transportation, wide education, economy, both individual and governmental, and righteousness of life, the Chamber of Commerce is necessarily working all the time for peace, for progressive prosperity, for good government—federal, state and local—for the best banking and currency laws and methods, for the extension and cheapening of systems of transportation, for the encouragement of education and for every means for increasing intelligence and right living." All these things tend to promote world unity. President Roosevelt said:

"The New York Chamber of Commerce stands for the triumphs of peace at home and abroad."

The same may be said in greater or less degree of every commercial organization. It is notably true of the New York Chamber because of its great age and its great opportunity for effective service in the promotion of international coöperation; and in no other way could the contribution which the commercial organizations are making to the cause of peace be better illustrated than by citations from the records of its proceedings during the 143 years since its organization in 1768. Recognizing "the numberless inestimable benefits accruing to mankind from commerce," the charter granted to the New York Chamber by the government of George III, gave powers by which it could "encourage and promote by just and lawful ways and means such measures as will tend to promote and extend just and lawful commerce." At its second meeting, held May 3, 1768, it appointed a committee to adjust disputes between members, an early application of arbitration for the settlement of mercantile differences and the forerunner of arbitration for the peaceful settlement of international differences. From that day to this the New York Chamber has been a consistent and persistent advocate of arbitration as a substitute for litigation and war. Its record in this respect is larger, but not more consistent than that of other great commercial organizations in different parts of the world. Many of these both at home and abroad maintain systems for the adjustment of mercantile differences without litigation, and it is now sought so to extend their scope and influence that a decision by one of these commercial courts of arbitration will be accepted by merchants in other countries as well as in the country where it is rendered. The last annual report of the London Chamber of Commerce contains this minute:

"ENFORCEMENT OF COMMERCIAL ARBITRATION AWARDS ABROAD.—The Committee recommended the extension of an inquiry which had been undertaken, at its instance, by the Board of Trade as to enforcing English arbitration awards and awards generally in European countries and in the Colonies and Dependencies of the British Crown, which proposal was adopted by that Department. A number of reports respecting the legislation on this subject in force in various countries and Colonies have been received, and it is expected that, when the Board of Trade have received the whole of the reports on this subject for which they have applied, they will probably be embodied in a Blue Book.

"INTERNATIONAL COMMERCIAL ARBITRATION.—In view of the increasing use of arbitration for the settlement of disputes arising out of commercial transactions in the United Kingdom and in the principal foreign countries, it was suggested during the year that it would be an advantage if a Joint Standing Committee representing the Trade Associations, the Anglo-Foreign Chambers of Commerce in London, the London Chamber of Commerce and the Court were appointed to secure joint action in matters of common interest. The Arbitration Committee passed a resolution indicating certain points to which the attention of such a Committee (if appointed) might usefully be directed, and at the end of the year arrangements were in progress for a Conference of representatives of the trade associations and Chambers of Commerce to discuss the formation of the proposed Joint Standing Committee and, if the proposition be accepted in principle, to decide upon its constitution and to nominate members to serve thereon."

Naturally commercial organizations which thus establish arbitration for the disputes of their own members and then seek to put these mercantile courts on an international basis, are advocates of arbitration for the settlement of disputes between nations. At the International Congress of Chambers of Commerce held in London, in June, 1910, the delegates from the United States introduced a resolution recommending to all nations the establishment of a "Permanent International Court of Arbitral Justice, of free and easy access, composed of judges representing the various juridical systems of the world and capable of insuring continuity of jurisprudence of arbitration." It is altogether probable that this resolution, or one substantially the same, will be adopted by the International Congress at its next meeting, which will be held in Boston in 1912.

The New York Chamber has, as President Roosevelt declared, ever stood for peace at home and abroad; and, that peace might be maintained, it has advocated international arbitration. In 1879 it sent a delegate—Samuel B. Ruggles—to the International Conference in London of the Association for the Reform and Codification of the Law of Nations; and on his report the Chamber ordered printed, for the benefit of its members, the address of Sir Robert Phillimore, President of the Conference, in which he advocated "a fundamental change in the Laws of Nations by substituting the rule of Christian Justice in place of the great armaments now maintained in continental Europe." Thus this early proposal for disarmament was supported by the Chamber. In 1887 resolutions were adopted by the Chamber that "it is time to bring about international arbitration between the two great English speaking nations that all disputes should be amicably settled." In 1895 the Chamber's Committee on Foreign Commerce and the Revenue Laws submitted a report stating that from 1816 to 1895 there

had been about one important case of arbitration between nations each year. "Only four or five of these are known to most people," said the report, "for one war makes more noise than a hundred arbitrations and costs more than a thousand."

It was at about this time that the Venezuelan dispute arose, which seemed at first to threaten war between the United States and England. The Chamber, at a meeting held January 2, 1896, proposed that this dispute be referred in the interests of peace to a commission of inquiry. It was at this meeting that Carl Schurz delivered a powerful speech for peace, describing the horrors of war and laying down this broad principle for the conduct of nations: "No war is justifiable unless its cause or object stand in just proportion to its cost in blood, in destruction, in human misery, in waste, in political corruption, in social demoralization, in relapse of civilization; and even then it is justifiable only when every expedient of statesmanship to avert it has been thoroughly exhausted."

The Chamber at that time entered into correspondence with other commercial bodies to enlist their co-operation in the movement for peace; and later it received communications from the Associated Chambers of Commerce of the United Kingdom, and from other bodies, reciprocating the desire for peace. The Bradford (England) Chamber declared in favor of a permanent court of conciliation or arbitration.

Early in 1897 the Chamber, on motion of William E. Dodge, adopted resolutions in favor of the ratification of the arbitration treaty between the United States and Great Britain, the resolutions reciting that "the advancing civilization of the world and all the business interests of this country make it wise to avail ourselves of this great opportunity to try the experiment of the substitution of law in place of war between the two countries." In a speech advocating

the adoption of these resolutions, Abram S. Hewitt declared that "the whole treaty is but the conclusion of those sublime doctrines which are found in the Sermon on the Mount, preached 2,000 years ago."

In 1904 the Chamber sent delegates to an International Arbitration Conference, held in Washington, and these delegates voted in favor of a treaty with Great Britain, providing substantially for compulsory arbitration of all disputes—the delegates stating that, while they were not instructed, the Chamber might be relied upon to stand always for those things that make for peace between nations, for humanity and for national honor. The report referred to the failure of the treaty negotiated in 1896-7 to secure ratification, and said that if it had been ratified it would have been the highest achievement yet reached between nations for the maintenance of peace by arbitral procedure. It is of interest to recall that at the meeting of "the Association of Chambers of Commerce of the United Kingdom, held in Manchester the same year, resolutions introduced by Sir Albert K. Rollit were adopted, which declared in favor of a treaty between the two countries," with a view to systematic reference to arbitration of differences. Later in the year the New York Chamber, by vote, expressed its gratitude for the action of the British Chambers. Thus the leading commercial organizations of the two great English speaking countries united in favor of compulsory arbitration of international disputes. At the annual banquet of the New York Chamber in 1904, former Secretary of State Olney made a plea for such a treaty. At its December meeting the Chamber urged the ratification of arbitration treaties with France, Germany, Switzerland, Italy and Portugal. In 1911 the Chamber sent delegates to a Peace Congress held in Washington, and elected Andrew Carnegie as an honorary member in recognition of his \$10,000,000 gift to the cause of peace. Later in the year the

Executive Committee of the Chamber made a report, which was adopted, supporting President Taft's plan of negotiating treaties with Great Britain and France, which was to establish an agreement of arbitration of all differences, whether involving money, property or honor. At the same time the London Chamber of Commerce adopted a resolution of similar character, and congratulating the New York Chamber upon President Taft's proposals.

In other ways than by thus invoking the power of public opinion in favor of treaties of arbitration, commercial organizations contribute mightily to the advancement of international unity:

By PHILANTHROPY—Chambers of Commerce are prompt to take measures for the relief of distress caused by great disasters in other countries, thus serving to promote goodwill between nations. In 1793, the New York Chamber appointed a committee of relief for refugees from San Domingo. In 1848 it aided in relieving the famine in Ireland. In 1856 it took action for relief of sufferers from floods in France. Even during our own Civil War its members extended a helping hand to the distressed cotton operatives in Great Britain, and the Chamber raised \$150,000 for that purpose. In 1870 it took similar action for the relief of sufferers in France from the war with Germany, and appointed a Committee of Thirty to secure contributions; it raised \$143,000 for that purpose, notwithstanding the fact, that the Chamber collected over a million dollars in the same year for the Chicago fire sufferers. In 1892 action was taken for the relief of sufferers in Russia; in 1895, for sufferers in Turkey; in 1897, for Cretan refugees and in 1898, for Cuban relief. In 1902, aid was extended by the Chamber to relieve distress caused by the earthquake in Martinique; in 1906, for relief of famine in Japan; in 1907, for relief of famine in China; in 1907, for relief of famine in Russia, and in 1909, for earthquake sufferers in

Italy. Thus, in the course of a hundred years, one Chamber of Commerce in New York was instrumental in affording relief to sufferers from various calamities in twelve different countries of the globe. Who, therefore, can estimate the contribution which all the commercial organizations in the world are making to international unity by the exercise of that broad charity which knows no racial or territorial limits, and which is a practical application of the divine proclamation of "Peace on earth; goodwill to men"?

By HOSPITALITY—St. Paul put hospitality high among the virtues; and rightly so, for it promotes friendship, goodwill and peace, and it serves to remove prejudices, which are the offspring of ignorance and provincialism. Hospitality is commerce's right hand of fellowship, and Chambers of Commerce have the hand always outstretched in friendly greeting. The records of the New York Chamber show that in 1860 it appointed a Committee of Fifteen to welcome ambassadors of Japan, which had then just been opened to international commerce by Commodore Perry, and in its address of welcome the Committee expressed the hope that "for ages to come Japan and the United States will be bound together by friendly relations, that peace, unfettered commerce and the offices of benevolence will make their intercourse." Since that day the Chamber of Commerce has by hospitality and in other ways many times contributed to the establishment of friendly relations with Japan. It was in 1860 also that the New York Chamber gave a reception to Hon. W. S. Lindsay, M.P., of England, in order to listen to an address by him on International Marine Law and other subjects tending to promote international unity. Years before—in 1842—the Chamber coöperated with the city authorities in hospitalities to a Commission from France to extend friendly intercourse between the two countries. As evidence of the breadth of the Chamber's hospitality, it is only neces-

sary to cite the fact that in 1882 it entertained Sir Henry Parkes, Prime Minister of Australia; in 1889 it gave a reception to delegates representing twelve countries in the International American Congress, when General Sherman, speaking to South America and Canada, said: "The United States wish not to meddle with others; we seek no more territories;" in 1890 it entertained the visiting delegates of the British Iron and Steel Institute; in 1897 it received the representatives of the Chambers of Commerce of Mexico and Central and South America; in 1889 it gave receptions to Lord Charles Beresford and Vice-President Mariscal of Mexico; in 1904 it entertained Prince Pu Lun of China and Prince Fushimi of Japan, and in 1905, Prince Louis of Battenberg; in 1906 it gave a reception to the Chinese Minister, and in 1907, to the British Ambassador; in 1909 it entertained the Japanese Commissioners, the representatives of Japanese commercial organizations, and the Admirals of visiting foreign fleets. During a series of annual banquets extending over a hundred years, it has entertained among others the following distinguished foreigners: Marquis Rochambeau, Baron von Steuben, Admiral Jaures, M. Bartholdi, Ferdinand de Lesseps, Joseph Chamberlain, Goldwin Smith, Lord Herschell, Prince von Pless, Sir Albert K. Rollit, John Morley, Senor Godoy, Ambassador Cambon, Ambassador Herbert, Ambassador von Sternburg, Ambassador Jusserand, Ambassador Rosen, Ambassador von Bernstorff and Ambassador Bryce. Representatives of many different countries, including several ambassadors, attended the dedication of its new building in 1902.

I give these facts simply because the hospitality extended by the New York Chamber is typical of that of commercial organizations everywhere. The London Chamber never fails to entertain distinguished foreigners, and several years ago it had as its special guests representatives of the New York Chamber. The

record of 1909 will show what the London Chamber is doing in this way to promote international goodwill. In that year it took part in the welcome given by England to the Emperor of Russia and the King of Portugal, and it entertained at various complimentary dinners the Vice-President of the German Reichstag, the German Ambassador, an Ottoman delegation and a visiting Russian Council. The Boston Chamber of Commerce is arranging to entertain the delegates to the next International Congress of Chambers of Commerce throughout the world. It cannot be doubted that these exchanges of courtesies between different countries contribute largely to international unity.

By **FACILITIES OF COMMUNICATION**—Commercial organizations have been persistent promoters of facilities for world communication such as railroads, canals, steamship lines, cables, telegraphs and telephones, all of which are mighty agencies for the promotion of international unity. That commercial bodies should support measures for the construction of lines of railroads, canals and telegraphs for national development is not surprising; and the New York Chamber as early as 1786 advocated the building of the Erie Canal, and as early as 1846 reported in favor of the building of a trans-continental railroad to the Pacific. But commercial bodies are as eager to promote communication between nations as within their own country, and such an international project as the Pan-American Railroad which, when completed, will make an unbroken line from Alaska to Argentina is actively supported by many commercial organizations. As early as 1827 a memorial adopted by the New York Chamber contained the germ of the Panama Canal, and this is a project in which it has ever since taken a deep interest. Recognizing its far reaching international significance, in 1886 it sent John Bigelow to Panama to investigate the work on the canal then under the control of the French company and later it

listened to an address on the subject by Count de Lesseps. In 1865 the New York Chamber sent Cyrus W. Field to represent it in a study of the Suez Canal, and it was represented at the formal opening of the canal years later. Commercial bodies have always been active in the encouragement of cable projects. The laying of the first Atlantic cable was largely a New York Chamber of Commerce project—Cyrus W. Field, Peter Cooper and many of its other promoters being members of the Chamber and securing its coöperation. The Chamber repeatedly endorsed the enterprise. It gave medals to the officers and others engaged in laying the cable. In 1866 it gave a banquet to Cyrus W. Field in celebration of its final completion, and in 1895 it had a large painting showing a meeting of the cable promoters placed in its building as a permanent memorial. In 1864 the Chamber advocated the building of a cable across Behring's Straits. Two years later it proposed construction of lines to France and Southern Europe. In 1870 it urged the laying of a cable under the Pacific Ocean; and it has ever been in the van of every movement for cable extension.

The wide scope of the international interests and action of leading commercial organizations can be indefinitely illustrated by the records of the New York Chamber. Great must be the effect on international unity of the action of an organization which during the past one hundred and forty-two years has by formal vote legislated in regard to England, France, Germany, Italy, Spain, Greece, Africa, South America, India, Russia, China, Japan, Corea, Mexico, Newfoundland, Canada, Brazil, Venezuela, Argentina, Colombia and Panama; which from 1854 to 1909 gave aid and encouragement to Arctic exploration; which has had close reciprocal relations with the Chambers of Commerce, of London, Paris, Belfast, Birmingham, Liverpool, Manchester, Bengal, Shanghai, and of

South America and Japan; which from 1784 has sought to promote goodwill and commerce with China; which has given its support to International Expositions in Paris, Rio de Janeiro and other foreign cities; and which, recognizing that a new and better political economy conceives commerce to be not war but reciprocal advantage, has for years striven in favor of reciprocity treaties, from 1852 to 1911 advocating reciprocity with Canada, in 1879 urging reciprocity with France, in 1902 with Cuba and in 1905 with Germany. It has repeatedly acted in favor of international conferences for the furthering of projects all of which work for peace. In 1858 it was in favor of an international conference to consider measures to prevent accidents at sea. In 1860 it worked for an international agreement to protect private property at sea in time of war, and had a letter from President Buchanan on the subject. In the same year and thereafter, it sought to promote international agreements in regard to general average. In 1866 and thereafter it advocated the metric system and uniform weights and measures. In 1870 it advocated an international coinage. In 1877 it supported the movement for an International Conference on Reform of the Laws of Nations. In 1883 and thereafter it worked for international bills of lading. In 1884 it was in favor of the International Health Exposition; in 1887 in favor of an International Maritime Congress, and in 1889 in favor of the International American Convention. In 1898 it gave its support to the proposed International American Bank and in 1901 to the proposed International Congress of Navigation.

The records of other American and of foreign commercial bodies would doubtless show many occasions when their influence was exerted in one way or another to promote international unity; and as nearly every city and town in the world has a Chamber of Commerce or a Board of Trade—there are several thousand

of them in the United States—their collective influence in the establishment of improved relations between different nations and different races must necessarily be enormous.

“Commerce,” said William M. Evarts, in 1873, “is the promoter of peace;” and it may be added that no other agency in the world today is working with such power for the establishment of permanent peace and closer international relations as the Chambers of Commerce.

SERENO S. PRATT

INTERNATIONAL BANKING AND ITS IMPORTANT INFLUENCE ON INTERNATIONAL UNITY

Banking, it has been well said, is the hand-maiden of commerce; hence international banking is the useful servant of international trade; and since the commercial relations between the nations of the world exert a powerful influence upon civilization, the international banker is a factor of no small importance to the world's progress.

It is perhaps needless to say that commerce flourishes most when nations are at peace. The supposed business value of wars, because of the temporarily increased use of certain commodities, largely wasted in the contests, has long ago been found illusory.

When a Cæsar could, by means of his legions, compel the channels of trade to center in Rome, and when his plundering conquests brought rich booty to the capital of the Empire, war and commerce worked hand in hand. Bankers of Rome also thus found war advantageous when all roads led to Rome.

But this was solely for the aggrandizement of the imperial city. So far as other lands were concerned, the results were not so beneficial.

Phenicia, the parent state of commerce, was in subjugation; Carthage, its beautiful and opulent offspring, had to be destroyed because it ventured to maintain an independent commercial status; Egypt's world-marts were oppressively tributary to Rome.

The reaction from this concentration came when Rome fell; the disintegration became so complete that for centuries commerce was paralyzed; this state of torpor contributed largely to the conditions which created that period of blight in Europe known as the "dark ages."

Commerce, in order to prosper permanently and to develop, requires mutuality of interests; to a subjugated people, the intercourse is compulsory, hence irksome.

Venice became, with the Renaissance, the queen of the commercial world, maintaining supremacy so long because her heart was but little bent upon territorial conquest; and here, too, banking developed hand in hand with commerce, so that she holds the record of having had the earliest organized bank (although, perhaps, not a bank in the modern sense), dating from 1171.

When Venice surrendered the commercial sceptre, it was not to Spain, which nation had become mistress of the world by force of arms, but to the Netherlands, where peaceful pursuits furnished the soil in which both trade and banking could flourish.

It is not surprising that Spain should have spent much effort, finally in vain, to dominate the Low Countries during that period.

Nevertheless, it must be recorded that it was a result of contests of force that the domination in commerce and banking was eventually transferred to London; but it is equally significant that, having attained pre-eminence, the British capital, through its bankers, has, for half a century of more, been an important factor in obviating war.

Commerce and war are obviously totally antithetic: The one, mutually friendly intercourse; the other, unfriendly, murderous clashing. The one, an ever-working instrument for building-up, for softening rancor, for spreading civilization and bringing nations together; the other, an instrument of destruction, engendering race hatred, retarding the progress of humanity.

The modern banker has ever been the counsellor for the extension of commerce and all that that implies; actuated not by self-interest alone, but in the interest of the human race as a whole.

Even farther back than modern times, when his status was less independent, his counsel was against strife, although too often of no effect.

For what could be accomplished when the barons could seize both him and his assets, or the monarch commandeer his gold and even his credit, as Charles I of England did?

Even Napoleon, shrewd ruler that he was, used his power to the extreme, when his imitation of Cæsar was on the boards of the world's stage.

It has been despite these untoward conditions that banking developed in the proportions exhibited in modern times, spreading all over the civilized world, and even establishing itself among the barbarous peoples of the earth.

For today we can properly speak of bills of exchange on the Fiji Islands, where once the white man's flesh was the only thing recognized as very desirable.

The progress of civilization and the development of mechanical arts, particularly in the last half-century, contributed materially to the cause of peace, by making war enormously costly.

Whereas the eight years of war with her colonies in 1775-83 cost Great Britain about \$600,000,000, it is probable that no first-class power could now wage the briefest war with less expenditure.

This enormous costliness of war has added to the power and influence of the bankers, and in particular the international bankers, for the means to carry on such war must be obtained by the flotation of large loans, and no one bank or money center alone will undertake to furnish such sums.

The negotiations are thus carried on internationally, and not infrequently governments exert a restraining influence upon the bankers in their jurisdictions to obviate strife.

But bankers themselves show very distinct aversion to war loans, without the intervention of governmental-

influence. The occasions when they have averted wars projected by ambitious leaders are not of record, for such negotiations are not published.

Invariably a flotation of bonds designed to produce war funds, is subjected to greater scrutiny as to guarantees, and must bear heavier interest, or suffer larger discount, than an issue the proceeds of which are to be applied to peaceful projects.

This has tended to bring criticism upon bankers at times, as being a process of undue and unwarranted exaction.

Yet it is an entirely logical attitude. A nation that borrows for great public works, irrigation for example, is by the very act fortifying its credit; the funds loaned produce additional security for their ultimate repayment.

Loans for war, on the other hand, are for purposes of destruction of capital in various forms; the demolition of useful public works, buildings, and particularly the destruction of life, an essential part of the world's capital.

Destruction of capital, in the nature of things, never appeals to a banker.

Such periods of destruction are necessarily followed by dreary years of recuperation, of burdens upon humanity, the effects of which are felt the world over.

For the ramifications of modern commercial relations are world-wide; the effect of a depression in our Mississippi Valley is felt in central Asia; a nation impoverished by war cannot buy as much from others as had been its custom previously.

The international banker must be, and is, informed of conditions the world over. To this knowledge he must add capacity in the art of international politics and diplomacy.

More and more often is he called into the councils of the rulers of national destinies. More and more frequently is his dictum given weight in determining

if war shall come or not; whether war shall continue when once inaugurated.

The Russo-Japanese conflict of 1904-5 was halted in a large measure because bankers refused to float further loans at anything like ordinary terms, after probably \$1,500,000,000 had been wasted in the contest.

The interests of commerce have thus put into the hands of international bankers a powerful weapon to use in the interests of conciliation and peace.

As civilization progresses this power is likely to become stronger. It has been proposed as a serious legislative project that there should be a positive prohibition of international loans to promote war.

Such laws will, I trust, soon be entirely unnecessary; the march of events points definitely to the exercise of their power by bankers without such governmental intervention, before the necessary steps can be taken to enact such measures. They may be considered to be the important factors as the world's arbiters in matters of preventing war and restoring peace, with the power to enforce obedience.

The economic significance of this change of attitude is most important. If, by withholding the "sinews of war," the banker can force a nation to desist from war, he conserves to its people the enormous sums which would have been wasted, and the product which would otherwise not have accrued.

International banking and international unity are exemplified today in a most concrete form in the efforts being made by our American bankers to finance certain of the Central American republics. Our State Department is desirous of seeing these republics place their finances on a stable basis, and thereby prevent the many unfortunate revolutions which have played such havoc in the material and financial progress of these Central American republics. The European governments, to whom these Central American repub-

lics are heavy debtors, regard with approval our efforts. If we are desirous to enforce the "Monroe Doctrine," a policy naturally distasteful to the European governments, i.e., not permitting any permanent occupation or control of Central or South American republics by any foreign governments, we must logically see to it that their debts are satisfactorily settled, as otherwise our insistence on such doctrine will subject us to embarrassing, if not serious, complications. By giving these Central American republics a peaceful and lasting government and intelligent fiscal polcy, we promote a better international understanding, and thus work in the interests of a world unity.

Far from objecting to the sale of our securities abroad, or of placing good foreign securities in our market, it is my belief that such operations should be encouraged from a broad international standpoint.

It is in the interest of international peace and unity for investors in France, England and Germany, to become interested in the securities of each other's railroads and industries, and it is equally important in the interest of universal peace that our own securities be largely distributed in these countries. It is by such means that each country will gain a more thorough understanding and knowledge of the conditions in other countries. When altercations or misunderstandings arise, the investors can always bring pressure to bear for an amicable settlement of such difficulties, and by aiding in removing the sources of trouble, the cause of peace will be promoted. France holds today over \$1,000,000,000 of Russian securities, and it can readily be understood that Russia would not engage in any war with nations without the consent or approval of France. As has been stated in the interesting paper read by Mr. Speyer at the late Baltimore Peace Conference, we find today certain governments in times of peace will not permit their bankers to take and place foreign loans in the home

market, unless the purposes for which the loan is to be used are known and approved, and at least a part of the proceeds is used by the borrowing nation for expenditures in such home market for the benefit of the lending nation.

We have seen instances when both Germany and England were averse to the introduction of certain securities of other nations, as from a political point of view they regard such introduction as unwise and detrimental to the political interest of their country. During our own times, when the North and South were in a death grip which lasted for nearly four years, the large amount of securities of the North placed by our bankers in Germany, Holland, and later, England, contributed in no small degree to preventing the recognition by England of the Confederacy. That it would be possible to keep two nations, which went to war without submitting their differences to arbitration or judicial settlement, from being assisted by any other country or investors is perhaps at present a rather Utopian suggestion. But, at any rate, it is well worth the thoughtful consideration of diplomatic and government officials. The march of events points definitely to the exercise of their power by bankers without governmental intervention, before any steps can be taken to enact such measures into the proposed arbitration treaties. Any movement in international banking looking to a better understanding between powers, should be zealously encouraged and warmly welcomed.

The international tribunals for conciliation and arbitration will be open for all nations to settle their differences.

International bankers could well afford to provide the entire expense of such tribunals, for the gain to international credit and finance, to the development of amicable trade relations, and hence of their own business as intermediaries thereof, would be vastly greater than the cost of the conciliatory courts.

The bankers have exhibited a striking unanimity of opinion upon the subject of the promotion of peace and the steps in the direction of rational settlement of international differences.

The negotiations for arbitration treaties now in progress, at the instigation of our own government, are hailed as the concrete beginning of a movement that shall bring a realization of the hopes of the practical thinkers who have had to deal with this great subject at close range, as well as those of the zealous workers whose labors have been actuated by sentiment and humanitarianism.

It is to be hoped that our Senate will reinforce the splendid work of our wise President Taft in promptly ratifying these treaties. The eyes of the civilized world are turning with hope and confidence to this great Republic, and are looking to us for encouragement in this noble work of peace. We cannot believe that the treaties will be allowed to fail by reason of the Senate's taking a narrow view of its constitutional privilege. Their passage, which I am confident will take place at the coming session of Congress, will be the Senate's crowning achievement, and President Taft's Administration will have rendered to the world an imperishable service.

It has often been said that capital has no nationality, the implication being that patriotism is absent in international banking. In this, as in so many other instances, truth has been sacrificed to turn a clever epigram.

In times of peace, it is true, boundary lines and national divisions are ignored; in his mission to extend commercial relations, increase the welfare of the race, and thus diminish the causes for a strife, the international banker makes no distinctions. Witness the recent joint international financing of China's progressive plans.

But when peace is menaced, his attitude changes; he is influenced by the sentiment of loyalty to his country, just as are his fellow-countrymen.

And even in the negotiations attending such transactions as the Chinese loan, he never loses sight of the resulting advantage to accrue to his own country. It is almost invariably through his action that these results become available to his country.

In touch with all the world, by telegraph and cable, and familiar with the political, industrial and commercial conditions as part of his business, a message containing but one word, in cypher, and meaningless to anyone else, often opens up to him a view of coming events long before his government has the slightest intimation thereof. Seeing its portent, he is equipped for action. A well-known incident of which we have record is when Meyer Rothschild, by prearranged special messages, received advance news of Napoleon's defeat at Waterloo. Rothschild knew, as few others did, what this meant to the revival of British trade and the prosperity of the nation; he had measured its far-reaching importance to the world.

A very interesting situation has lately developed in the diplomatic and financial negotiations in the Moroccan dispute between Germany and France. It is interesting as demonstrating quite clearly how finances can profoundly affect the political situation. Although the tension (at the time of writing this article) is acute between these great Powers, neither one is anxious for hostilities. The insistence of the German demand for compensation of territory in West Africa has rendered the situation serious, and the international market for all securities has undergone heavy declines. This feeling of apprehension has adversely affected business conditions throughout Europe, and has caused heavy selling of American securities in our market by investors abroad.

Germany, although making rapid progress indus-

trially and commercially, is a debtor country, owing large sums to both England and France.

The Bank of France and the influential French banking institutions, with the approval of the French Government, have taken advantage of Germany's extended financial commitments, and have called in the large loans made to German banks and bankers, thus causing an acute financial status in Germany. The German bank rate advanced, and a financial crisis appeared imminent. Gold was being hoarded by the public, and deposits were being withdrawn from the savings, mortgage and commercial banks. The large German banks conferred with the German Chancellor, impressing on him the gravity of the financial situation, and the importance of an early and amicable settlement of the Moroccan imbroglio. This resulted in a reassuring official announcement from the German Minister of Foreign Affairs that peace negotiations were progressing satisfactorily. There is every reason to believe that a peaceful understanding has been arranged between these Powers.

That the pressure brought by the great financial interests of Germany contributed powerfully to hasten a peaceful solution of the difficulties and thus avert bloodshed, cannot be denied.

As a nation, I do not feel that we can take our proper place as world's bankers among the great European Powers, until we ourselves have placed our financial system in proper order. The saving quality of European financial and international systems consists in strengthening their credit systems by establishment of a Central Bank, or a Central Banking System—the nature and methods of such banks varying somewhat in details, but all alike in substance. International banking among the great Powers has its essence in organizing credit, discounting sound paper, expanding, or reducing note issues commensurate with legitimate trade conditions, enforcing a stable

and more permanent rate of discount market, reassuring the commercial community when under financial strain, enabling sound business interests always to secure such accommodation to which they are legitimately entitled, and more particularly to prevent such unnecessary panics, which have not only so disastrously undermined our own financial and commercial stability, but which have seriously deranged the business conditions of the entire commercial world.

It is my profound belief, and I have such confidence in the good sense of our people, that before long the wise conclusions of our monetary commission, which has given us so much labor and thought here and abroad to relieving our present intolerable and unsuitable monetary system of its evils, will be in substance accepted by our people and adopted by Congress. When this important reform is accomplished, our country will be able more intelligently to cope with any financial conditions that may arise, without disturbing the wheels of commerce, and our country's influence on international relations and unity will be immeasurably enlarged and strengthened. It will then be in a powerful position to hold its own, if necessary, against the world. We can then better work for the peace of the world in which we have been the noble pioneers. To take the lead in this world peace movement must ever be a source of legitimate pride to our people. Let us hope that, through a more thorough understanding and a closer association, all nations will recognize that no single business or commercial success of any nation can properly develop or prosper, except as the relations between countries advance and prosper. All we can do is to set a good example, and in time other governments will be forced to follow our example, and although we may not be able to abolish wars, we can greatly lessen them. This is no dream, but a reality—following the path

laid down by our immortal Washington, and hallowed by the deeds and words of Lincoln.

No more exalted, or wiser words were ever uttered by any public servant than by Thomas Jefferson, and none in which we can take greater pride:

“ Peace, commerce, friendship with all nations,
entangling alliance with none.”

Let us and our neighbors be guided by this sentiment, and the cause of international peace will be secure.

ISAAC N. SELIGMAN

SHIPPING AND ITS INFLUENCE UPON INTERNATIONAL UNITY

Shipping, in one sense or another, is almost as old as civilization, and, like the latter, has passed through many stages of development and extension.

In ancient days it was mainly used for coastwise and internal purposes within the boundaries of the country to whose inhabitants it belonged, but even then it formed a medium of intercourse and interchange of commodities between tribes and the inhabitants of districts not yet aggregated into great nations.

The next epoch in its evolution occurred when ships were employed on voyages of discovery, resulting in bringing new lands and new peoples to the knowledge of the older civilizations.

This period was followed by pioneers embarking on voyages to settle in new lands, which, in turn, led to the necessity, or at least advantage, of establishing trade relations and intercourse by the employment of ships.

Through these long and slow stages there has been developed what we now term International Trade and Commerce, shipping plying on every ocean and into and between all ports of importance throughout the peopled countries of the world, and to many remote places which, without this medium of intercourse, would be known only as a spot upon the map, if at all.

The achievements of discoverers, the growth of settlements into territories, states and countries through the initiative of pioneers and settlers, and the trade in interchange of commodities have all contributed in their respective measure to stimulate the ambition and desire of others to follow and compete for the honor, glory and advantages accruing from these sources, and the rivalries thus created have, at periods, led to contention and even to war. Because

of that many have contended that shipping has produced conflicts and animosities rather than unity between nations. This, however, can be shown to be but a superficial view, an error into which those may easily fall who speak only from the recollection of those stirring incidents which have fastened themselves more picturesquely in their memory, and who have not stopped to review the vastly more important, if less spectacular, events which prove that shipping and the many interests of commerce conducted thereby have drawn together the nations of the earth into closer bonds.

In these days of intense activity few, except students, have the desire or the time to study ancient history for the purpose of tracing from fundamental principles or conditions the progress and evolution which has resulted; but during the nineteenth century events have transpired which clearly indicate a steady growth towards a unity between nations, produced because of and made possible by the possession of shipping, and the commercial and social interests related thereto.

This unity of spirit has not only been evidenced in diplomatic and personal relations, but in the broader and more humane view which, by the interchange of thought and negotiation, has grown to prevail for the maintenance and protection of shipping in free and untrammelled intercourse.

The most specific records which prove these assertions are of diplomatic congresses, which have been held; but vastly more important and influential has been the conception and trend of thought produced by intercourse, expounded in private life, and in public meetings and bodies—commercial, civic and national—of which few records exist, but of which the effect is clearly manifest.

Judge Baldwin, now Governor of Connecticut, in 1907, compiled a list—perhaps the first authentic one—of Diplomatic International Congresses during

the Nineteenth Century; and it is significant to the subject with which this paper deals that a very large majority of these were called specifically for, or chiefly dealt with, matters relating to shipping and the commerce which is indissolubly related thereto.

In 1826 a Diplomatic Congress was held at Panama, attended by the representatives of four powers, to consider the abolition of privateering.

In 1851 the International Sanitary Conference of Paris, attended by the representatives of five powers, to deal with questions affecting navigation of the Mediterranean.

In 1853 a Maritime Conference at Brussels, to consider a uniform system of meteorological observations at sea.

In 1861 a Conference at Hanover, attended by the representatives of seventeen powers, on the abolition of taxes in navigating the Elbe.

In 1863, Conference at Brussels, where twenty-one powers were represented, to agree upon the free navigation of the Scheldt.

In 1863, Conference at Paris on the organization of the Postal Union.

In 1864, Conference at London and Paris on the adoption of uniform marine signals.

In 1866, Conference at Paris, relating to the navigation of the Danube.

In 1871, Conference at London, regarding questions arising out of the neutralization of the Black Sea.

In 1874, Conference at Berne on Postal Union.

In 1883, Conference at London, relating to the navigation of the Danube.

In 1884, Conference at Washington on a Prime Meridian, when that of Greenwich was adopted.

In 1885, Conference in Antwerp to frame International Law in a Maritime Code.

In the same year at Paris, in reference to free trade through the Suez Canal.

In 1888 at Constantinople to regulate the use of the Suez Canal, attended by the representatives of thirteen powers.

In 1889 at Washington, attended by the representatives of twenty-seven powers, known as the International Marine Congress, to adopt uniform rules to secure life and property at sea.

In 1893 the first Hague Conference, attended by the representatives of thirteen powers, on International Law, when four conventions were agreed upon.

In 1894, second Conference at the Hague, attended by the representatives of fifteen powers.

In 1896, formation of an International Maritime Committee.

In 1899, Peace Conference at The Hague.

In 1905, The International Diplomatic Conference at Brussels, attended by thirteen powers, on the subject of Maritime Law.

In 1907 the second Peace Conference at The Hague, when the fifth to the twelfth conventions adopted related to shipping.

In 1909 the Third International Congress at Brussels on Maritime Law, attended by the representatives of twenty-three nations.

In the same year the International Naval Congress at London, attended by the representatives of ten powers, this being the direct result of the Convention adopted at the Second Peace Conference at The Hague in 1907 relating to the formation of an International Prize Court.

This, perhaps, marks the most distinctive forward step which has been accomplished up to this time, because of the ten powers represented the delegates of Great Britain, Germany, Austria-Hungary, the United States, the Netherlands and France reached an agreement and signed the "Declaration of London," which needs only ratification by the parliaments or congresses of their respective nations to make it binding and effective.

While this Declaration has been criticised by some of the Chambers of Commerce in Great Britain on three points, namely, the Provisions for Conditional Contraband, for destruction of neutral vessels, and for conversion of merchantmen into vessels to be employed in war service, and while it is true that in these particulars it falls far short of the principle for years advocated in this country in favor of the total exemption of private property from capture at sea, nevertheless, as a whole, it marks a very distinct advance in the agreement upon a specific list of contraband articles and defines as conditional contraband ships and cargo and their disposition under conditions more definite than has heretofore prevailed.

While the purpose and scope of this article will not admit of discussing the criticisms which have been made of the Declaration of London, I do not hesitate to express the opinion that it would be inadvisable to ratify it without reserve, but nevertheless an agreement has been reached on a number of points extremely valuable in conserving the interests of shipping and trade in time of war.

1. It contains a complete code on the law of blockade.

2. Contraband:

(a) It specifies a long free list of merchandise.

(b) It specifies conditional contraband.

It is to the specifications under this heading that the criticisms relate, and particularly to the inclusion of Food Stuffs as Conditional Contraband.

Ships and cargo destined to a place serving as a base for the armed forces of the enemy may be declared conditional contraband.

It is the fear of the breadth of interpretation which may be applied to the word "base," the presumption that property bound to such an alleged base may be

ultimately intended for enemy purposes, and the burden upon the owner to prove otherwise, to which the critics have chiefly addressed themselves.

The delegates to this Convention, however, devoted much time and care to the discussions, and its conclusions have been looked upon as a distinct advance towards the establishment of an International Prize Court to operate under well-defined principles of law.

Great reforms are only obtained gradually, and each forward step in their accomplishment, by the process of elimination of disputable points, makes the next step forward easier of accomplishment. With no common agreement the freedom of every nation to declare contraband and conditional contraband as it saw fit entailed great dangers and hardships upon neutral and peaceful shipping and commerce.

Russia, at the beginning of the war with Japan, issued a Declaration listing as contraband many products which subsequently in deference to protests of Great Britain and the United States, were exempted or regarded only as conditional contraband, according to the use to which they were to be applied.

The Hague conference will re-convene within a few years, and with an International Prize Court once established it is quite probable that a revision of the Declaration of London upon still broader lines would then soon take place.

Some of the diplomatic conferences dealing with the subject of shipping and commerce referred to in the list herein have provided at their adjournment for specific times of reconvening, so that without special effort or initiative opportunities are provided for the freer discussion by international representatives of all the questions surrounding intercourse, and for the promotion of safety and security of shipping, of lives and of property, in times of both peace and war.

These discussions have covered a wide range of subjects collateral to the commercial aspects, and

dealing more especially with questions of a social nature in the advancement of civilization.

Immigration and the character of accommodation furnished to immigrants by steamship lines has been dealt with, and by international agreement the conditions vastly improved and safeguarded.

The prevention of the traffic known as the "White Slave Trade" has been covered by investigations and laws of an international character.

While the mass of specific evidence at hand relates more particularly to the commercial and industrial phases of the shipping industry, which has brought nations together in a greater unity of ideas and laws, the personal intercourse between citizens and subjects of all the great nations of the earth has done vastly more to promote unity and a common understanding.

Without shipping, this fraternity would have been impossible.

It is within the easy recollection of the present generation when—as was recently stated by a prominent citizen of New York, who had served for many years in public life—one of the most potent appeals for public preferment was indulging in the pastime known as "twisting the lion's tail." Today throughout the breadth of the United States it is rare to find a man who does not express more than friendly feeling towards our British cousins. All natural ties, and particularly that of a common language, would have tended, in any event, to bring us together. But the great volume of travel to and from all important countries, the intermingling of their citizens and subjects, has brought about a universal understanding of their national characteristics, their aims and aspirations, the conditions under which they live and by which they must work out their future; and so both by the process of eliminating misconceptions and misunderstandings, and by creating personal and material interests, friendships, and even affections, there has

grown to be a comity between citizens of the civilized countries of the world, which is a compelling force irresistible in its power upon the governments and diplomatic representatives of all the countries.

It frequently happens when great results have been achieved, or some great advance in the standards of civilization has taken place, that the magnitude of the result obscures many of the means by which it has been arrived at; and it is particularly so that in the great progress which has been made in bringing together the nations of the earth in a warmer friendship, in a more humane conception of international relations, and social and commercial problems, the influence of shipping by which these results have been accelerated, if not indeed by which alone they have been arrived at, has been forgotten.

Shipping, having conquered the seas, has caused a peaceful assault to be made upon the land, as witnessed by the Suez, Kiel, and other canals, and lastly, the most stupendous operation of its kind ever undertaken—the Panama Canal.

Truly may it be said of both the Suez and Panama Canals that shipping has compelled this means of bringing vastly closer together in intercourse, commerce and understanding, the most distant nations of the world.

Ships have been the commercial missionaries of nation to nation and have carried the human missionaries which have been sent into foreign lands, mainly from the Anglo-Saxon countries. Statesmen and diplomats qualified to speak with the greatest authority have stated that more has been accomplished by missionaries—and by the accompanying benefits to civilization and humanity, medical and educational, which they have taken with them—than has ever resulted from the most persistent efforts of diplomats or business firms.

Great, however, as the progress has been from spiritual and moral conception, it is perhaps true that

the greatest single influence which has been at work to bring the nations of the world into unity has been the ever-increasing force with which economic necessity has pressed towards the ultimate goal to establish in all countries the Golden Rule.

With the enormous increases in population and in the production of natural and manufactured commodities of interchangeable character, there has grown coincidently an increasing struggle for existence among the peoples as well as the nations of the world. The commercial and social problems interwoven with national life are multiplying in number and difficulty, are constantly changing, and beneath and behind all is the unceasing pressure of natural and economic law forcing man's apprehension and ingenuity, and compelling a broader conception of equality of opportunity and justice, and a more universal practice of the principles of the brotherhood of man.

So irresistible are the unseen forces bringing to the surface more enlightened views as more difficult conditions arise, that it suggests the question—whether the all-wise Creator is not using economic law and necessity as one of the greatest fundamental forces in uplifting the moral character and mental vision of humanity.

Certain it is that these forces first produce the conditions which later impell men and nations to come together to ameliorate hostile and destructive influences, and such coming together results in comity of feeling, in unity of purpose, in moral uplift, and as a means to these ends, if not a direct contributing cause, the possession and maintenance of shipping has filled an essential need and played a most important part.

E. H. OUTERBRIDGE

INTERNATIONAL INVESTMENTS AND INTERNATIONAL UNITY

By the term "International Investments" is to be understood the employment of capital in one country by citizens of another country. The question that I purpose to discuss in this paper is whether and to what extent such investments bear upon the matter of "International Unity"—that is international peace. What facts are there before us?

It is matter of common knowledge that the world's "international investments" are very large. One has but to take up the "official list" of any of the leading stock exchanges in Europe to see how the capital of investors has permeated almost every nook and cranny of the habitable world. In the last hundred years or so the great improvements made in methods of transportation—whether it be of freight, passengers or thought—and the revolution wrought by application of machinery to production of usable wealth have caused a huge accumulation of capital by the older civilized countries, and this capital has been sent abroad to develop the resources of the younger countries. The result has been that the capital fund of the civilized world has grown like a snowball, despite colossal waste at times in war and preparations for war. There has been no possibility of employing all this capital within the borders of the countries where it is owned, and by consequence it has gone abroad for opportunity.

Foremost among the great nations in the race for wealth and opportunity has been Great Britain. It is estimated by competent authority that the investment of British capital beyond the borders of the British isles totals a sum of at least £3,500,000,000 sterling—say seventeen and one-half billions of dollars by

our reckoning. Of this amount one-half has gone to British colonies and dependencies all over the globe; the rest has gone, with fine impartiality, wherever it could be made to yield return. Great Britain has men and money working for her all over the world, and there is no country on earth that does not yield some tribute to her thrift and energy. The London Stock Exchange official list would furnish material for a stiff examination paper in geography. Nothing could give a better notion of the roving nature of British capital.

While none other of the nations has equalled Great Britain in this respect, several have followed at not so great a distance. The accumulations of wealth in France, Germany, Holland and Belgium, have been very great, and all have pioneered in other countries more or less. France has constituted herself banker to Europe. Her investors have in the main affected the government securities of such nations as have borrowed abroad—as, for example, Russia, Italy, Spain, Portugal and Turkey. Besides this she has always believed in abundant cash reserves. Twice in twenty years she has extended much needed help in time of panic to the Bank of England, and through the Bank of England to the civilized world. She prides herself on having for a hundred years given her commercial borrowers the lowest average rates of discount the world over, thanks to the masterly handling of the Bank of France.

Germany's policy in the investment of capital has been more upon British lines. She has sought everywhere to build up her commerce and has sent her men and her commodities out wherever there was business to be done. Particularly is this so of recent years. Holland has done the same thing—so has little Belgium. All these countries, like Great Britain, derive large annual incomes from their foreign investments; it is conservatively estimated that the yearly return to

the last-named totals nine hundred millions of dollars.

Austria-Hungary has, in much lesser degree than that of the countries enumerated, put out some capital beyond its borders, chiefly with its immediate neighbors. But the other countries of Europe have been borrowers and not lenders ; they have furnished opportunity rather than capital.

This is true, of course, of the New World. The American continent has borrowed heavily from all who would lend and has furnished opportunities galore. Our own case is classic in this respect. We have always been—and still are—in debt abroad for capital, just as is every active young business man engaged in establishing himself in manufacture or commerce. Mexico has engaged hundreds of millions of other people's money ; so have Argentina and Brazil.

The result is that the civilized world is enclosed by a network of relationships arising from these investments. Capital has been rendered practically as mobile a fluid as electricity itself and in the main its movements have been determined by the "prevailing rate of wages" obtainable. It is unnecessary to multiply details—the fact speaks for itself. Can we conclude that these relationships have direct bearing upon the amity of nations, and, if so, how important an influence are they? To answer this question we must examine a little more closely into the character of these relationships.

The first thing that becomes apparent is the fact that between the great powers themselves there has been comparatively little interchange of capital and opportunity. England has not invested in Germany, France or Holland to any large extent, nor have these three countries invested with each other or with England. Only in the case of Russia, Italy and Austria, among the European great powers, can it be said that the other powers have capital in quantity within their borders. It can be said of the smaller powers such as

Turkey, Spain and Portugal, but these powers are negligible from the point of view of international peace. Moreover, except in the case of Russia, no great European power has impounded any very large amount of capital belonging to other great European powers. This holds good not merely of the countries themselves, but of their colonies and dependencies.

The second thing is that into the newer countries of well-established autonomy capital has come from everywhere and anywhere. Take our own case, for example: we pay interests and dividends to investors in all the European nations, especially to England, Germany and Holland. The same thing is true of Mexico and the South American nations. The English and the German are partners in our development, the Frenchman and the Englishman are partners in African gold and diamond mines and Spanish copper mines, all three are partners in Brazil and in Argentina, and the Dutchman is partner with all. English, Dutch and German traders meet wherever ships can go and a path can be forced.

The third thing is that in certain parts of the world—densely populated, but little developed, and while possessing undoubted autonomy, yet remote from the councils of the rest—capital is making entry only under conditions reflecting the most extreme jealousy on the part of its owners, each against the other; this jealousy making necessarily the most formal kind of partnership imaginable between the interested creditors. The last Chinese loan is a good example of this. The reason, of course, is plain. It is a matter of the “open door.” It is not too much to say that the “open door” in China is in the modern political arena of more importance to the peace of the world than is the “closed door” of the Dardanelles. For it is evident that it is commerce which today makes political hegemony desirable.

Now, in the light of these facts, can we find in the

complicated financial relationships of the world a guarantee, however slight, of the world's peace? What bearing have they upon the factors which tend to disturb that peace?

Whatever may have been the case in by-gone ages, it is fair to make the general statement that today it is trade necessities rather than fine-spun consideration of national pride that are the prime factors in determining peace or war. Germany in the eastern hemisphere, and Japan in the western—if we may so call it—are striving tooth and nail to expand commerce, and their respective efforts cause the nightmares from which Great Britain and the United States periodically suffer. Rapidly growing population coupled with the keenest commercial enterprise on the part of those peoples naturally reflect themselves in a restlessness which translates itself very easily into symptoms of political aggression. Competition is the soul of commerce and it is motived by the strongest possible of human considerations. It is impossible to see how the conditions reflected in the "official lists" of the various stock exchanges of the world can greatly affect the struggle for the trade of the new countries of the world, and if they do not and can not affect it they can have but little influence upon international peace. It would seem that only in the light either of "hostages" or of "partnership assets" could these investments affect the scale either way. Only a small part of the total could possibly be considered in the "hostage" class (the loans to Russia, Austria and Italy), and when it comes to "partnerships" (such as those between England, Germany and Holland, in the development of the American continent), they are clearly of so limited a character and so entirely subordinate in importance as to count for little in the scales. In short, I confess to feeling that from this point of view "international investments" furnish but little sense of security for international peace.

Happily, however, it is possible to view them in another aspect—perhaps a broader one—and derive some comfort from the view. The conditions which have made “international investments” possible have done something towards the denationalizing—possibly I might better say the internationalizing—of capital in a sense which does furnish some hindrance to the making of war. In the past forty years the welding together of the money markets of the world into one great reservoir, so to speak, of capital and credit has progressed far enough to warrant us in regarding it as a new and permanent development in commercial civilization. The financial interdependence of nations has been demonstrated most strikingly in the series of financial storms that have swept the world in the last generation—more strikingly in each case than in that which preceded it. Nothing is more interesting to the student of economics than the “meteorology” of these cases and the light that it throws upon the forces that govern modern economics and financial conditions. I would not be understood as saying that there has been any conscious denationalization of capital in the sense that its owners formally recognize no country in its use. What I wish to suggest is that capital has always been extremely sensitive to both opportunity and danger, has always responded instantly to either and that at the present time it is possessed of a nervous system much more perfect than it has ever had before.

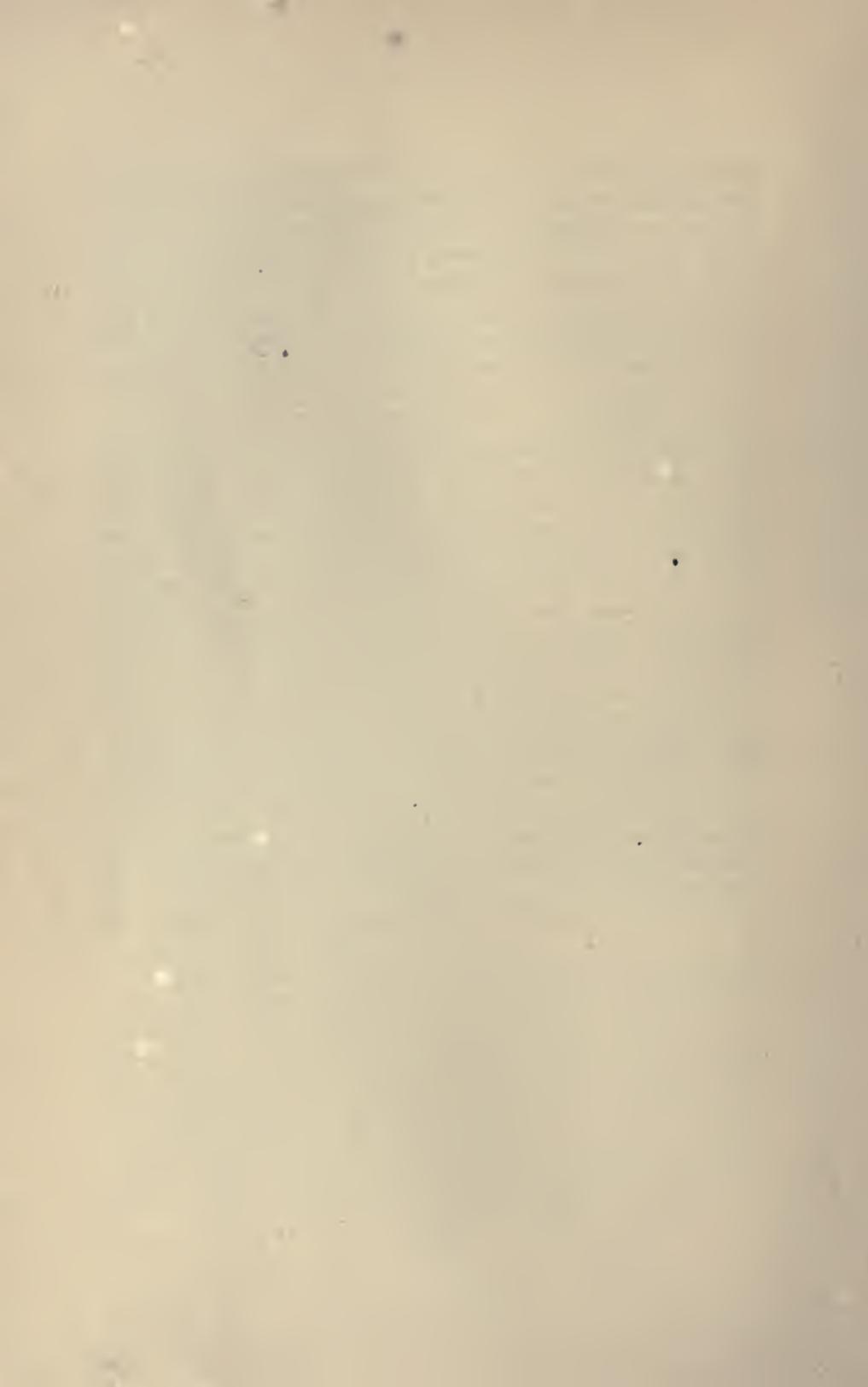
War has always been a matter of money, for money has always been able to convert itself into men and munitions. More than ever is this the case today. Never has war been a matter of so much money and never has the utter waste of money in such things as men and munitions been more clearly recognized and vehemently disliked by capital than it is in the modern world. No country—no great country—can again isolate itself financially from the others; there is a

sense in which no country can financially stand entirely alone. Can we not see in these considerations a hope that the appeal of peace to the self-interest of a most highly organized and enlightened body of capital will come with ever increasing force as time goes on, and that this appeal will be strong enough to outweigh all but the most immediate and evident advantages presented to an individual nation by the making of war upon another nation?

In the suggestion that international capital should be neutralized in time of war, I think there is a highly valuable and practicable idea—an idea not merely practical but practicable. The practicability of it lies in just the considerations which are outlined above, for it seems from these considerations that while the world may not yet be ripe for disarmament the international organization of capital has gone far enough to make it ripe for the reception of this idea. And when the pursestrings are drawn against war, war must perforce come to an end.

In this aspect at all events there may be found a link between international investments and international unity, and even if the link today be not very close or very strong, it will not loosen or grow weaker but will tighten and grow stronger as long as the evolution of international finance continues to proceed upon present lines.

THOMAS F. WOODLOCK



INTERNATIONAL INVESTMENTS AND THEIR IMPORTANT INFLUENCE UPON INTERNATIONAL UNITY

The revolution in the economic and therefore in the political state of the world in the past century, or rather in the last two or three centuries, has been so gradual as to be almost imperceptible, but if one looks back to the conditions prevailing even within the memory of living men and contrasts them with those of today one appreciates the really wonderful and striking changes that have been evolved. As recently as a century ago production was on a limited scale, and practically everyone with but few privileged exceptions had to labor from dawn to dark for an income which did not much more than keep body and soul together. Moreover, the pressure of existence made everyone not only jealous for his own welfare but regard with fear any measure that seemed likely to bring benefit to others. But if the jealousy of individuals was great it was small in comparison with the jealousy of nations. The strenuous economic conditions of the time caused nations to regard even the interchange of goods and produce with other states as opposed to their interests. The cause of the insular attitude of country to country, of district to district, and of man to man was inherent in the economic conditions which then prevailed. In those days (as in these) no district or country was free from the danger of crop failures and the slowness and difficulty of transport rendered doubtful the chance of securing supplementary supplies of food or of raw materials should a district or a country permit its surplus from a good crop to drift away to other districts and to other countries. In other words self-preservation compelled each country and often each

district to be self-contained and to store the surplus of one year as a reserve against the possibility of deficiency in succeeding years. Moreover, it must be recollected that less than a hundred years ago the methods of production were still very primitive, that farming involved the employment of a host of laborers and that the small production per head left practically no margin for the purchase of goods from outside districts after satisfying the needs of neighboring villages and towns dependent upon each agricultural district for their food supplies. In brief, owing mainly to the lack of transportation facilities, individuals, districts, and countries were forced to keep their surplus products of one year for consumption by themselves in succeeding years, and, in consequence of the low rate of production per person, almost the whole of mankind had to be satisfied with simple, not to say meagre fare, with an extremely limited supply of clothing and with a minimum amount of creature comforts in the shape of shelter, heat and light. In these circumstances no one can be surprised that wars between nations were of frequent occurrence. Indeed, the surprise is rather that war was not more frequently resorted to for the purpose of conquest to enable the new populations to obtain access to less densely populated districts or to enable warlike people to obtain possession of the riches possessed by neighboring states. Although remnants of the old order of things still survive, the world has long since abandoned the archaic principle of self-sufficiency and today no family or district, or nation endeavors to be self-contained. Indeed, the economic and political principles of society of former centuries have been completely revolutionized by the progress of invention which has made every individual, family and nation dependent upon others for both the necessities and luxuries of life. Interdependence has replaced self-sufficiency and common interests among nations have taken the place of international antagonism. It

is true that commercial jealousies exist, even now, between countries producing the same description of produce or manufacturing similar kinds of goods, but these jealousies arise from the largeness of the production of surplus supplies of food, raw materials, or manufactured articles for sale to other lands by individual countries, not from the smallness of their surpluses. In brief, the emulation today comes from the desire of each state to enjoy the largest commerce, and thus to be able to purchase the greatest quantity of produce or services from other lands for the consumption and use of its people.

The discovery of steam and electricity and the provision of a cheap and rapid system of transportation by the construction of railways throughout the length and breadth of the world and the introduction of vast fleets of steamships upon every ocean, are the main causes of the revolution that has been effected. The provision of cheap, rapid and efficient systems of transportation which have made the world's natural wealth, wherever it could be found, available for the use of man, has indeed changed the peoples of the world from a multitude of units, regarding each other with jealousy or fear, into a unity of multitudes, knowing and realizing that the welfare of each is governed by the welfare of the whole. No longer is the individual anxious as to his future supply of food or raw materials, as he used to be, for he knows that in these days if the crops fail in one country they will be abundant in another and that the railway and the steamship will bring him sufficient for his needs from somewhere in the world no matter how small may be the crops in his own land.

The assurance of adequate supplies of food and of raw materials, which each individual and country now possesses, has resulted not only from the invention of the railroad and the steamship but also from the introduction of highly efficient machinery for the culti-

vation of the soil, for the garnering of the crops, and for the production of natural wealth of all kinds and descriptions and its manufacture into commodities available for consumption and use. In the old days, as I have pointed out, the production of foodstuffs and raw materials in proportion to the labor employed was small and after supplying the needs of those engaged in farming and those immediately dependent upon them in the neighboring villages and towns there was practically no surplus; today the output of food and raw materials is enormous in proportion to the number of those directly employed in the agricultural industry. Indeed, the production of the individual in consequence of the introduction of machinery is so great that the agricultural countries are able to provide food for tens of millions of persons in lands thousands of miles distant after supplying the needs of their own population.

But the community of interests which now exists throughout the world is not confined to the mutual dependence of the nations upon each other for those things that they are not specially fitted by nature or science to produce or manufacture; it is still more comprehensive than this. The lands containing undeveloped resources of natural wealth could never have been developed as they have been, had the world maintained the policy of self-sufficiency to which it was wedded in former times. To develop the world's natural riches involved the employment of labor upon objects not immediately productive and called for immense supplies of capital, and this capital was provided by one country to another with no niggardly hand. It was foreign capital, in the first place, that built railways, even on the Continent of Europe, and it has been foreign capital in the main that has built the railways of every country and has opened up the whole world to settlement. Furthermore, vast amounts of foreign capital have been supplied to settlers for the

cultivation of farms in the new countries, as well as for the development of mineral wealth wherever it could be found.

The investment of its savings by one country in another has knit the world together in a manner that would have been impossible in any other way, for it has meant that the lending and the borrowing countries are intimately concerned in the welfare of each other. The greater the prosperity of the lending nations the more capital they have for investment in the young countries; and the more rapid the progress of the young countries the greater is the security they afford to the capital entrusted to them by the lending nations. It is, of course, evident that nations supply each other with capital from necessity; they are aware that their own farm lands and their own natural resources are insufficient for their needs, and that to maintain a rapidly increasing population in relative comfort they must supplement their own production of food and raw material by supplies from the undeveloped lands. It was the urgent need of Great Britain, with her large population in a few small islands, which induced her to supply capital on a great scale to every country able to produce the food, raw textiles, minerals and timber she required. How great is the interest of Great Britain, for her own sake, in the welfare of the rest of the world is evident from the fact that she is dependent upon other countries for no less than two-thirds of her food supplies, almost the whole of her raw material and most of the wood and timber she needs. Any event that diminished the productive power of the world in proportion to population would do serious injury to the prosperity of Great Britain, and on the other hand any factor tending to increase the productive power of the world, such as the free investment of capital by other countries, brings with it advantage to Great Britain. By reason of her world-wide interests Great Britain's welfare is

intimately bound up with the fortunes of the whole world.

Germany has supplied capital to other lands for much the same reason as England has. Her own supplies of food and raw materials are quite inadequate for the needs of the German people, and have to be largely supplemented by purchases from foreign countries. In spite of her high duties on food, which have forced into cultivation every acre of available land in Germany, the quantity of food and materials imported from abroad is rapidly rising and must increase still more rapidly in future. Any event that checked the flow of her own capital, or that of Great Britain or of France, into the countries capable of largely increasing their output of primary products, would deal a severe blow at the prosperity of the German nation. The welfare of Germany depends upon the ability of other countries to increase their productions, and to be able to supply the food and raw materials required by the German people. Moreover, it would be impossible for the German nation to purchase the great quantities of food and raw materials they now need to import had not Great Britain and France, but more especially the former, built railways so extensively in all the young countries, and thus assisted the world to create the products which the German people require in increasing quantities from year to year. The free investment of British and French, as well as German, capital all over the world is as essential to German prosperity as the expansion of German industries, for without this liberal investment of foreign capital in other lands Germany could not get the food for her people or the raw material for her factories. In the old days when Germany was practically self-contained the effect of war upon her prosperity was relatively small and the damage was easily repaired; but in these days, when the growth of the world's production so largely de-

pends upon the supplies of new capital, a war would have consequences which were not felt in former times, and the injurious effect could not fail to fall with special severity on countries like Germany and England which depend so largely upon other nations for the prime necessities of existence. As long as the world's production of food and raw materials continue to expand as rapidly as hitherto, neither England nor Germany will experience any difficulty in maintaining their growing populations. Indeed, the welfare of both countries will continue to show the remarkable improvement, both actually and relatively to their population, that it has displayed in the last two generations.

The need of France to develop the resources of other countries is almost as great as that of Germany and England, though the slow growth of the French population renders the need not quite so urgent. The French people depend for their welfare largely upon the great quantities of raw materials and food they obtain from other lands, as well as upon the great sums which the growth in the world's wealth is bringing to them through the expenditures of tourists. Accordingly they recognize that they must assist the world to increase its productions by loans of capital. The quantity of capital which France has supplied to other lands is somewhat larger than the amount provided by Germany. But the amount supplied by Great Britain is greater than the quantity supplied by France and Germany put together.

Both the Netherlands and Belgium are largely dependant upon foreign countries for food and raw material, and they have also supplied a good deal of money for developing the natural resources of other lands.

In brief, the lending countries of Europe depend almost entirely upon the food and raw materials produced in other lands for the maintenance of the yearly additions to their own populations and should any

circumstance arise such as the outbreak of a foreign or civil war to prevent them individually and collectively from finding the capital needed to bring about the required increase in the world's output of necessities, their own peoples would seriously suffer from the deficiency that would result. The welfare of the lending countries is in fact intimately bound up in the prosperity of each other as well as in the progress of the lands which are capable of producing surplus supplies of the necessities of life.

The interest of the younger countries in the older lands and in one another is no less great than the concern of the older lands in the prosperity and progress of the younger states and of each other. It is scarcely necessary for me to point to the abounding prosperity and wonderful progress of the younger countries whenever the older lands are able to supply them with the capital they require for their expansion. Their own history will reveal to the American people the important part played in the development of their own country by the large amounts of capital provided by Europe for the construction of their railways, and they will appreciate the still greater part played by foreign capital elsewhere when they realize that almost the whole of the capital spent upon the railways of the other countries of both North and South America has been supplied from outside. And what has been done in the Americas has also been effected in Australasia, Africa and Asia, as well as in Europe. The great prosperity enjoyed by all the young countries at the present time is in no small degree the result of the immense quantities of capital which other nations are supplying to them for the construction of railways and for other purposes in order to develop their resources, and it is evident that if any event occurred to impoverish the older nations and to prevent them from finding the capital required by the younger states that the progress of the latter would become very slow.

Indeed, from whatever standpoint the economic and political interests of the world are regarded it is abundantly clear that in these days all the nations are bound together not only by ties of sentiment such as were unknown in former centuries, but by bonds of interest of steadily growing strength.

Nor is the American nation itself outside the bands which now bind the world so firmly together into an economic entity of which the whole suffers when injury is done to a part and which gains but greater strength from the increased vitality of any portion. It is true that the American people are more self-contained than any other nation, that the development of their country has been so great that they are now able to provide themselves with almost the whole of the capital they need and that they would experience no hardship if Europe refrained from supplying them with additional funds for railway construction and for other purposes. Indeed, inasmuch as the United States is now finding no small amount of capital for the development of other countries it is evident that in the matter of capital the American people are dependent upon no one. Furthermore, America's resources of food and raw materials are of vast extent and are sufficient to meet the greater part of the needs of a population many times larger than the country contains at present. Nevertheless America is not and cannot be entirely self-contained and her prosperity will always be intimately connected with that of the rest of the world. In the first place, she is now enjoying the use of an immense quantity of European capital, the withdrawal of which would cripple her power of expansion for a considerable period, and in the second she is dependent upon other lands for the tropical foods and beverages which have now become necessities, as well as for no small part of the raw material she needs for the consumption of her people. Were any event to occur which checked the increasing production of the foods

and raw materials and even the manufactured goods which America needs to import, large sections of her population would suffer and the welfare of the whole country would be in some degree impaired. The failure of the lending countries to supply the capital needed to increase the world's production of wool, or of silk, or of coffee, or of tea, or of rubber, or of tin, or of many other things would seriously affect the welfare of the United States in common with other lands. Again, any event that impoverished other countries or even checked the growth of wealth in other nations would diminish the power of the United States to sell its surplus productions and would consequently reduce its ability to purchase the goods which the American people need to supplement their own output.

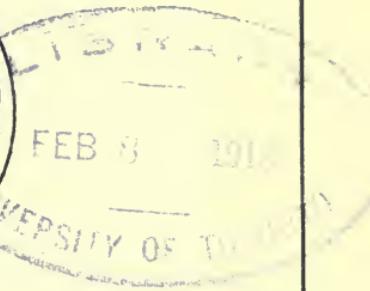
In fact, there is no nation or people or individual which is not affected beneficially or prejudicially by the welfare or misfortune of all the world. A disaster from earthquake, from disease, from drought, from war, which falls upon any nation in these days affects the welfare of the whole world, in greater or less degree, and on the other hand the progress of thought, the spread of education, the advance of invention, the growth of production, and, indeed, all things which raise the moral and material welfare of any nation, bring in their train advantages to the whole race. Experience of the benefits of the increasing dependence of nation upon nation, which has been gained in the last century from the removal of the physical barriers which used to divide them, and from the supply of capital by one country to another, affords some idea of the great well-being to which the whole world will attain in the years that are yet to come from the ever growing movement towards the economic unity of the race.

GEORGE PAISH

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DO THE ARTS MAKE FOR PEACE?



BY

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The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects.

For the information of those who are not familiar with the work of the Association for International Conciliation, a list of its publications will be found on page 14.

DO THE ARTS MAKE FOR PEACE?

Believing as I do that the arts will some day make powerfully for peace, I must admit that in the past they have often added to the splendor of war and supplied motives for conquest. One recalls ancient galleys bearing the statues of Syracuse or Sybaris to Rome, the ox-teams of Napoleon dragging over the passes the choicest pictures of Italy and Spain, and only yesterday, the soldiers representing our own civilized world looting the Imperial Palace at Peking. All this goes to show that human nature must change considerably before the arts become actively the ally of peace. But I am writing for people who see in the past not the limitation of the future but its storehouse of gradually unfolding potentialities, and I ask the reader to imagine what would be the result if into our modern industrial and commercial civilization were introduced as general a practice of the arts and as diffused a love of the beautiful as existed in ancient Athens or in mediæval Paris.

And this is no vague supposition but a reasonable forecast. We are plainly in a time of expansion and improvement as regards the arts. Something like the old-time desire for them begins to manifest itself. National and civic art, after a period of indifference, has reasserted itself strongly in England, Germany, Austria-Hungary, Italy, Spain, and the Americas. France has never let the tradition fail. And not merely is the civic demand palpable, but public art is

responsively improving in quality. Much remains to be done, for despite great isolated figures the collapse of art about the middle of the last century was complete and disastrous, but whoever compares the sculpture, mural painting, or decoration of fifty years ago—I mean the average product, with that of to-day—will note a great improvement in taste and workmanlike excellence. Within the past century the great museums of France, England, Prussia, and the United States have been founded, while those of Austria, Italy, Spain, and the Netherlands have greatly prospered in wealth and popularity. Aside from these official activities, the mere creation of new fortunes implies an enhanced interest in art. Art creeps perforce into all permanent and satisfactory expressions of wealth. A man may think he is merely fostering learning or charity, but if his architect be competent he is leaving monumental libraries, colleges and hospitals for the aesthetic delight of posterity. And apart from such incidental and inevitable patronage of art by philanthropic or merely careless wealth, there is much direct and even some intelligent patronage. To form a picture gallery is often the first instinct of new opulence. Through the preposterous prices thus paid for pictures, art at least gets notoriety. Rembrandt tardily takes his place beside Mr. Rockefeller as an exemplar of a lucrative industry. And while our millionaires are wresting the accredited treasures of older art from aristocracy, in the most democratic fashion possible the illustrated magazine and even the advertisement are bringing a respectable and an improving grade of pictorial art to the millions. Here is a jumble of activities, vanities, cruder and finer desires, which shows at least that art

is very much alive in our civilization. Whatever the æsthetic worth of the achievement—a consideration apart from my theme, here is a social force vigorously growing which, should it assume unity and direction, may profoundly affect the relations of man to man and of nation to nation.

And here I wish to distinguish honestly between mere hopes and well-grounded probabilities in the case. It is possible, though I fear not probable, that the demand for public art and for private luxury of a seemly sort may gradually restore to the world a compact and influential class of artist-artisans. Such a class would develop within the collective consciousness a strong local feeling. By its intelligence and repute this class might easily exercise a local balance of power. It actually did so in the mediæval communes. Such sentiment for craft and locality would be an appreciable makeweight against the exaggerated nationalism within which, bereft of rational and religious sanctions, the war spirit has made its ultimate refuge. Historically the preponderance of the artisan class in Italy actually diminished the frequency and even more the duration and atrocity of warfare. In particular Italy, with her truly Grecian refractoriness to an absolute Church or State, was almost wholly spared those religious persecutions which disfigure the history of all the northern nations. And if this moderating influence of the artist-artisan class is clearly traceable through centuries in which war, upheld by philosopher, statesman, and prelate was the normal condition, how much more powerful might that restraining influence be in times when even the politician appeals with hesitation to the God of Battles. I firmly

believe that the future of the peace movement rests largely with the artisans of the world. And the artist-artisan would evidently have greater incentives to be a peace lover than his associates in the merely mechanical trades. Conscious zest in the work of every day, contentment with one's lot, appreciation of the excellence of the work of fellow craftsmen in foreign lands, these are notable counter-impulses to the traditional spell of war—notable offsets in sane local self-interest and generous international admiration to the narrow intensity and malignity of modern nationalism. Whoever is giving work to artist-artisans and so re-establishing an order apparently superseded by the machine is in some measure promoting the cause of peace.

What is more certain to come about than the rehabilitation of fine craftsmanship is the gradual establishment of an *élite* bound together internationally by bonds of artistic admiration. The present phase of masterful but undiscriminating accumulation of works of art will eventually yield to fine and wide-spread appreciation. Private treasures will find their way to the museums, which are already joining hands with the public schools. In collecting we have to-day an internationalism based largely on fad and commercial solicitation; there will surely come instead an internationalism based on taste—an unconscious but effective freemasonry comprising with the artists much of the intellect and wealth of the world. And these generous admirations interlocking across political borders, and asserting a spiritual comity between chosen men of different flags and race will make energetically against that national exclusiveness and mistrust which

is the very root of war. The spirit of fellowship in the arts is already keenly alive. In a period of tariff wars and scramble for protection what industry has lobbied assiduously at Washington in order that the foreign competing product may be admitted duty free? Why, the artists of America. To three-quarters of our more prominent painters, sculptors, and architects, Paris is a second fatherland. It is clearly to them we must look to free us from provincial mistrust of France as a fount of frivolity if not of positive evil. And the times emphatically call for new and wiser mediation between nations. Our universal habit of travel has not so much leveled out as given new edge to old vague hostilities. Nobody is more convinced of the hopeless private immorality and national decay of the French than the tourist who has dutifully inspected the Parisian enormities especially contrived for his patronage. He who has actually squabbled with a German postal clerk is forever convinced that German bumptiousness threatens the world's peace. To have halted overnight in the Bay of Naples is vividly to confirm a previous impression that the Italians have no other occupations than petty extortion and singing to the guitar. In short, modern tourism, far from promoting international good feeling actually gives form and durability to old prejudices, and we sadly need counterbalancing influences making for international understanding and respect. Wherever there is sound thought among traders, financiers, scholars, statesmen, these influences are already potently at work. In the realm that broadly speaking belongs to the arts we find these rational motives for peace even stronger because tinged with

emotion. The artist and art lover may or may not realize that it is good policy to be at peace with other nations; a more immediate conviction teaches such gentle souls that the touch of war in lands famed for historic beauty—whether in France or China, England or India, Germany or Japan, is a kind of sacrilege. Admittedly such a sentiment has never spared any land in the past, and unaided would probably avert no future war, but it easily might become a powerful element in the complex of motives that will ultimately change man from a bellicose into a peaceful creature.

Where lies the weakness of the peace movement? Plainly in the fact, that while its arguments are admittedly good, an enormous mass of traditional emotion still says no to what the reason of mankind already approves. Most thoughtful persons will admit that war is theoretically absurd, that its moral cost is appalling, and its verdicts inconclusive, but most of these rationally convinced foes of war remain emotionally and practically its friends. They retain a sentiment that it is an ultimate test of manhood or nationality, that it evokes the most heroic and admirable traits of human nature, that its recurrence keeps life and history perennially interesting. So long as these emotions hold sway, war will exist. International declarations that war does not pay, arbitration treaties, peace congresses, rationalistic propaganda of whatever order, may and undoubtedly will decrease the frequency of war; abolish it they cannot, until the heart of mankind tardily and reluctantly endorses the judgment of its intellect. Men's thinking has already been measurably converted to the ideal of peace; remains the far more difficult task of converting men's

feeling. It was, I believe, that great and generous soul, the late William James, who perceived clearly that we must find emotional equivalents in peace for the glamour surrounding the heroic aspects of war. He held that a discerning spirit would readily find such romantic satisfactions in the normal processes of society. We need only bring into the general consciousness the heroic aspects of the callings of nurse, physician, engineer, explorer, investigator. Better yet, in organized attack upon vice and ignorance, in charity of all sorts, we might find compensation for the moral glow that will undoubtedly pass out of the world with the passing of war. I shall not be suspected of depreciating the cogent rational motives for peace, when I say that until these are warmed into temperamental preferences, emotions near and dear to the average citizen, peace will be far away. And I raise quite frankly an issue perhaps distasteful to doctrinaire peace advocates because it suggests the preciousness of all emotions already enlisted in the good cause and capable of intensification. So convinced am I that the appeal must ultimately be to the heart of men, that I feel no emotional ally of any sort is negligible; for whenever the predilection for peace is established it will consist of a complex of motives many so trivial that were I prophetically to enumerate them I should be thought to play with a serious theme.

And among the most valuable motives available should be and may be the love of beauty, the respect for the creator of it—the artist, and the artist's own passionate preference for a social adjustment that excludes disorder, violence, ugliness. Among art-loving nations in the past the artist enjoyed amid wars an

ambassadorial immunity. This fact E. H. Blashfield, the well-known mural painter has recalled eloquently in a recent address before the American Academy of Arts and Letters. "The artist," he said, "so far as his personal security was concerned, carried the truce of God with him. Through the fourteenth century Italy was a battle-field, but Giotto and his painters, Giovanni Pisano and his sculptors, Arnolfo and his architects, went up and down the battle-field unharmed, and entered through the breached walls of cities to paint allegorical pictures of the blessings of peace in the town halls." That such immunity for the artist surprises us to-day merely shows that we love art less than the early Italians, and comprehend less humanely the peculiar character of the artist's task. Removed by the joy of his work from the commoner contentions, pursuing on an international plane an emulation devoid of the bitterness of industrial competition, perforce an exemplar of orderliness and disciplined enthusiasms, the artist is in the nature of things the friend of peace, and whoever enlarges the demand for art in the world and thereby increases the influence of the artist is measurably furthering the peace of the world. I do not wish to exaggerate. Evidently the sentiment for art, even though widely diffused, will be merely one of many auxiliaries to those major convictions and emotions—the sense of the folly of war and horror at its cruelty—which must eventually bring us peace. It is enough if I have shown a manifest community of interest between the cause of peace and that of the arts. All who intelligently foster the handicrafts are working against war, but those who encourage the artist and the artist-artisan are in a more

definite and direct way working toward peace. And we have seen that the arts supply precisely the kind of aid that is most difficult to procure, emotional preferences not merely opposed to the brutalities of war but positively attached to the contrary graces of peace.

It is not enough that we make war seem horrible. Mankind is of tough fibre, and for tens of thousands of years has willingly accepted such horrors as in the day's work. We must make peace seem attractive, we must combat the prejudice, not wholly an unfair one, against a social order tediously engrossed with the routine of breeding, feeding, producing commodities and buying and selling them. We must reckon with man's need of glamour, romance, thrill. And if anyone imagines that the arts cannot and do not furnish most of that which makes the peaceful state not merely sensible, but delightful, let him imagine with me a state of universal peace and prosperity wholly deprived of the ministry of the arts. There would be sanitary dwellings in that land and doubtless baths and gymnasiums, but no green boulevards would bring the country into the town nor would the grassy rises and skilfully arranged copses and paths of parks simulate nature in her most ingratiating aspects; for these things, though we do not realize it, are part of art. In our Utopia would be convenient public offices, but no stately buildings would rear their marble towers toward the sky, nor would light and shadow play intricately amid the beautiful complication of cornice or colonnade. There would be building but no architecture. Doubtless our inæsthetic peaceful State would commemorate its great dead, but neither graceful column nor imposing statue would rise in the city

vistas, nor would jewel-like memorial window be found in church or civic hall. Naturally inscriptions would set forth the merits of the dead, but the phrases would have neither the harmony nor cadence that stirs men. Worship there would presumably be, in model ventilated churches, but vault would not be married to column; neither painting nor sculpture would suggest the objects of veneration; nor would organ or choir fill the sanctuary with calming and uplifting strains. A people wise enough to choose peace would surely be interested in its own history and in the passions that rule men. So there would be history and literature, dull statistical pages from which enthusiasm had been scrupulously eliminated. The popular novelists, if such an emotion as that implied in popularity were permitted, would write in the manner of Auguste Comte or Karl Marx. There would be books but no art of literature. The glory of the form of man would be interpreted solely in terms of labor, hygiene, and childbearing; the daily pageant of the sun and the progress of the seasons in terms of crops, for the sculptor and painter would be lacking. The stress of sex and the need of fellowship would persist, and people would mate as advised or permitted by the health officers, but no lover would set down in verse the glow of all who love, no song would immortalize the finer rhythms of passion, no playwright would capture or player represent the follies, sublimities, and endearing oddities of human nature. There might be a theatre coldly reflecting society, but no art of the drama, no music, no poetry.

To enlarge upon this sketch of a land in which peace and prosperity rule without the aid of the arts is

surely unnecessary. Would peace on such terms be desirable or for that matter endurable? Would not mankind virtually deprived of the hazards and joys of the imagination, to regain them gladly betake itself once more to the hazards and joys of war? For every ennui, headbreaking would come once more into vogue. If we fail, then, to see that without art peace has small allurement, it is either because we inconsiderately take art for granted or define it too narrowly. May our un-blessed vision of a world with every beatitude save that of art suggest the truth that when art declines the inducements to peace fall away, but when art flourishes war stands permanently rebuked. In the past this relation has been obscured partly through the sentimental glamour shed about war, partly through an equally sentimental over-exaltation of art as a lovely superfluity. When the future shall bring right feeling about war and right thinking about art their eternal antagonism will appear, and the friends of art will seem from that very fact to be the friends of peace.

FRANK JEWETT MATHER, JR.

LIST OF PUBLICATIONS

Nos. 1-48, inclusive (April, 1907-November, 1911). Including papers by Baron d'Estournelles de Constant, George Trumbull Ladd, Elihu Root, Barrett Wendell, Charles E. Jefferson, Seth Low, William James, Andrew Carnegie, Philander C. Knox, Pope Pius X, and others. A list of titles and authors will be sent on application.

Special Bulletin: The Dawn of World Peace, by William Howard Taft, President of the United States. November, 1911.

In German: Deutschland und Grossbritannien; eine Studie über Nationale Eigentümlichkeiten, by Lord Haldane.

49. The Anglo-American Arbitration Treaty, by Heinrich Lammasch; and Forces Making for International Conciliation and Peace, by Jackson H. Ralston. December, 1911.

50. Finance and Commerce; their Relation to International Good Will; a Collection of Papers by Sereno S. Pratt, Isaac N. Seligman, E. H. Outerbridge, Thomas F. Woodlock, and George Parish. January, 1912.

Special Bulletin: Address at Peace Dinner December 30, by Andrew Carnegie. January, 1912.

51. Do the Arts Make for Peace? by Frank Jewett Mather, Jr. February, 1912.

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Post Office Sub-Station 84, New York, N. Y.

A small edition of a monthly bibliography of articles having to do with international matters is also published and distributed to libraries, magazines and newspapers.

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AN ANTHROPOLOGIST'S VIEW OF WAR



BY

FRANZ BOAS

PROFESSOR OF ANTHROPOLOGY IN COLUMBIA UNIVERSITY

MARCH, 1912, No. 52

American Association for International Conciliation
Sub-station 84 (407 West 117th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on p. 15.

Professor Franz Boas was born in Minden, Westphalia, July 9, 1858. He received the degree of Ph.D. from Kiel in 1881 and the honorary degree of LL.D. from Clark University in 1909. Since 1899 he has been Professor of Anthropology in Columbia University. For the present year he is on leave of absence, and is actively engaged in the organization of the newly established National University of Mexico.

AN ANTHROPOLOGIST'S VIEW OF WAR

IN the early days of mankind, our earth was thinly settled. Small groups of human beings were scattered here and there; the members of each horde were one in speech, one in customs, one in superstitious beliefs. From place to place they roamed, following the game that furnished their subsistence, or digging roots and picking the fruits of trees and bushes to allay the pangs of hunger. They were held together by the strong bands of habit. The gain of one member of the horde was the gain of the whole group, the loss and harm done to one, was loss and harm to the whole social group. No one had interests at stake that were not also the interests of his fellows.

Beyond the limits of the hunting grounds lived other groups, different in speech, different in customs, perhaps even different in appearance, whose very existence was a source of danger. They preyed upon the game, they threatened inroads upon the harvest of roots and fruits. They acted in a different manner; their reasoning and feeling were unintelligible; they had no part in the interests of the horde. Thus they stood opposed to it as beings of another kind, with whom there could be no community of interest. To harm them, if possible to annihilate them, was a self-evident act of self-preservation.

Thus the most primitive form of society presents

to us the picture of continuous strife. The hand of each member of one horde was raised against each member of all other hordes. Always on the alert to protect himself and his kindred, man considered it an act of high merit to kill the stranger.

Human inventions improved. The herd of hunters learned the art of better providing for its needs. The people learned how to store up food and thus to provide for the future. With the greater regularity of the food supply and a decreased frequency of periods of starvation the number of members in the community increased. Weaker hordes, who still followed the older methods of hunting and food gathering, were exterminated or, profiting by the example of their neighbors, learned their new arts and also increased in numbers. Thus the groups that felt a solidarity among themselves became larger and by the extermination of small, isolated hordes, that remained in more primitive conditions, the total number of groups that stood opposed to one another became gradually less.

DEVELOPMENT OF LARGER UNITS

We do not venture to trace with any degree of certainty the steps by which the homogeneous groups became diversified, or by which the opposing groups came into closer contact. We can imagine that the widows and daughters of the slain, who became a welcome prey to the victors, established in time kindlier relations between their new masters and their kin; we may imagine that the economic advantages of peacefully acquiring the coveted property of neighbors rather than taking it by main force added

their share to establishing kindlier relations; we may attribute an important influence to the weakening of old bonds of unity due to the gradual dispersion of the increasing number of members of the community. No matter how the next steps in political development happened, we see that, with increasing economic complexity, the hostility between the groups becomes less. If it was right before to slay everyone outside of the small horde, we find now tribes that have a limited community of interests, that, under normal conditions live at peace, although enmities may spring up at slight provocation. The group that lives normally at peace has much increased in size, and while the feeling of solidarity may have decreased, its scope has become immensely wider.

DISAPPEARING GROUPS

We may give a few examples of these conditions among the primitive members of mankind. The Bushmen of South Africa are a people that is being exterminated, because everybody's hand is raised against them, and theirs against everybody. Among the tribes of more advanced type of culture that surround them, their small bands are being annihilated. They feel themselves a group different from the rest of the world, and for them there is no place in the life of their neighbors. So a bitter war has been waged for centuries and is on the point of ending with the extinction of the Bushmen. Similar conditions prevail in parts of South America where the hunting Indian is outlawed like the wild South African.

Not so in more advanced types of society. Notwithstanding the cruel wars between the natives of our northern continent, there had been laid the germs of larger political units among which peace normally reigned. The fierce Iroquois created a desert around them, but in their midst developed a large industrious community. The Zulu of South Africa, the terror of the country, formed a unit infinitely larger than any of those that existed before.

This process of enlargement of political units and the reduction of the number of those that were naturally at war with one another began in the earliest times, and has continued without interruption, almost always in the same direction. Even though hostilities have broken out frequently between parts of what had come to be a large political unit, the tendency of unification has in the long run been more powerful than that of disintegration. We see the powers at work in antiquity, when the urban states of Greece and of Italy were gradually welded into larger wholes; we see it again at work after the breaking up of ancient society in the development of new states from the fragments of the old ones; and later on in the disappearance of the small feudal states.

PRESENT CONDITIONS

In the nations of our days in which law rules supreme, we find the greatest numbers of people united in political units that the world has seen. Here war is excluded, because all members are subject to the same law, and excessive strains in the community, that lead to internal bloodshed, have decreased in

numbers, although perhaps not in violence, among those nations in which the whole masses of the people enjoy somewhat equal advantages of education.

Thus the history of mankind shows us the grand spectacle of the grouping of man in units of ever increasing size that live together in peace, and that are ready to go to war only with other groups outside of their own limits. Notwithstanding all temporary revolutions and the shattering of larger units for the time being, the progress in the direction of unification has been so regular and so marked that we must needs conclude that the tendencies which have swayed this development in the past will govern our history in the future. The concept of nationalities of the size of our modern nations would have been just as inconceivable in early times of the history of mankind, as appears now the concept of unity of interests of all the peoples of the world, or at least of all those who share the same type of civilization and are subject to the same economical conditions. The historical development shows, however, that such a feeling of opposition of one group toward another is solely an expression of existing conditions, and does not by any means indicate permanence of these conditions.

POSSIBILITY OF FURTHER EXTENSION

The practical difficulties that seem to stand in the way of the formation of still larger units count for naught before the inexorable laws of history. The reasons that have kept political units apart are manifold, but none of them have resisted the attacks of changing conditions. In modern times that abhor-

rence of members of a strange horde which sprang from the idea that they are specifically different is on the point of vanishing. We still find it in the so-called race instincts of the whites, as opposed to the negro and Asiatic, and in the anti-Semitic movement, but in most of these cases rather as an element of internal strife than as one that leads to war. It is still active in the wars of extermination that are waged against primitive tribes, but these are nearly at an end, owing to the approaching extinction of the weakest tribes. In course of time differences in customs and beliefs, differences in form of government and social structure, devotion to ruling dynasty, community of economic interests, sameness of language, have been held as causes that separate distinct communities and compel them to take hostile attitudes toward one another.

Thus it appears that it is not any rational cause that forms opposing groups, but solely the emotional value of an idea that holds together the members of each group and exalts their feeling of solidarity and greatness to such an extent that compromises with other groups become impossible. In this mental attitude we may readily recognize the survival of the feeling of specific differences between the hordes, transferred in part from the feeling of physical differences to that of mental differences. The modern enthusiasm for the superiority of the so-called "Aryan Race," of the "Teutonic Race," the Pan-German and Pan-Slavish ideals can only be understood in this light. It is the old feeling of specific differences between social groups in a new disguise.

It is easy to show that this feeling is not based on

any real racial or other relationship, but that it is merely an expression of a strong emotion that is connected with a vague idea of supposed relationship.

RACE RELATIONSHIPS

Recent investigations of anthropologists have demonstrated that no such thing as an "Aryan Race" exists, but that the people of Europe are related by descent, no matter what language they speak; and that Finns, Hungarians, Turks, and Basques must be included in the family of the European race. Still less can any of the existing nations of Europe claim a homogeneous descent. The North French are quite different in appearance from the Central French, and then again from the South French; while the North French resemble the inhabitants of parts of northern Germany, the Central French those of southern Germany. The Germans east of the Elbe are largely descendants of a Slavic people whom they still resemble in appearance. In Great Britain the Welsh are different from the English, and parts of Scotland and Ireland present well-marked characteristics. The same is true of Italy, where great differences in appearance are found between the inhabitants of the northern and of the southern provinces. And how great is the heterogeneity of descent of the people of the United States, whose ancestors will embrace more and more all the nationalities of Europe. Students of anthropology are unanimous in discarding the idea of the unity of descent of each nation and of the pride in the purity of descent of any one particular type, which gives to the individuals representing that type the right to place themselves on a plane

high over that occupied by all other members of mankind. The lack of an objective basis of unity becomes clearest when the interrelationship of all blondes or of all the brunettes is claimed, which is obviously not accompanied by any true feeling of kinship.

THE BONDS OF LANGUAGE

It seems, however, that in our present period, community of language is a strong bond that holds nations together. It is, however, not very long that the bonds of language have been felt so intensely. Language establishes a basis of mutual understanding on which a community of interests may arise. The pleasure of hearing one's own tongue spoken in a foreign country, creates at once between its speakers a feeling of comradeship that is quite real, and in proportion to the smallness of the number of speakers of the idiom. The necessity of easy communication between the members of one nation has also led generally to the endeavor to make one language the ruling language throughout the whole state. When there is a great difference of languages, as in Austria, the national unity seems to us feeble. One of the few exceptions in which language is not the controlling bond of the members of a nationality is Switzerland.

Nevertheless, we may recognize that unity of language is also more an ideal than a real bond; not only that divergence of dialects makes communication difficult, but community of thought among the members of different social classes is also so slight that no communication of deeper thought and feeling is possible. The Provençal and the North French,

the Bavarian and the Westphalian peasant, the Sicilian and the Florentine are hopelessly divided, owing to differences of language; and the educated Italians, Frenchmen, Englishmen, and Germans have more in common than each has with the uneducated classes of his own community.

Thus it appears that the feeling of solidarity among the members of each nation is not based by any means on objective traits common to all of them—although the manner of thinking and living may impose certain mental forms upon each community—but upon subjective ideals that possess a strong emotional value. From primitive times on such ideals have existed, but in ever changing form. Now one idea has been the center of public sentiment, then another. With them the political groupings of mankind have changed. All have had the power to create passions that have led each community to defend what it believed to be ideal against foreign attacks, or even indorsed the attempt to force it upon the unwilling neighbors.

CONCLUSIONS

Thus the study of all types of people, primitive as well as advanced, shows two peculiar traits: the one the constant increase in size of the social units that believe in the same ideal; the other the constant variation of these ideals. Thus we are led to the important conclusion that neither the belief is justified that the modern nations represent the largest attainable social units, nor the other, that the ideals of the present groups—and with them the groups—will be permanent.

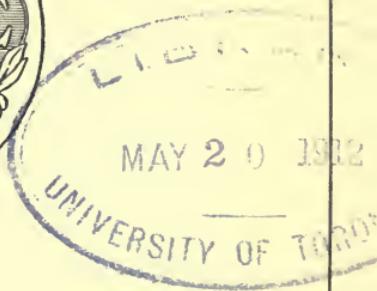
Most important of all, if we understand that the feeling of opposition to the stranger, which accompanies the feeling of solidarity of the nation, is the survival of the primitive feeling of specific differences, we are brought clearly face to face with those forces that will ultimately abolish warfare as well as legislative conflicts between nations; that will put an end not only to the wholesale slaughter of those representing a distinct ideal, but also prevent the passage of laws that favor the members of one nation at the expense of all other members of mankind.

FRANZ BOAS

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THE MIRAGE OF THE MAP



BY

NORMAN ANGELL

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American Association for International Conciliation
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The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on p. 15.

“The Great Illusion,” published by G. P. Putnam’s Sons last year struck a new note in the literature of the movement for the conscious development of better international relations, and the following article by the author of the book will, it is believed, prove of unusual interest to the readers of the series of pamphlets published by this Association. Mr. Ralph Lane (Norman Angell) was born in England December 26, 1874, educated at the Lycée de St. Omer, France, has spent several years in the United States and is now a newspaper correspondent in Paris. He has accordingly had unusual opportunities to study the problems of International Conciliation.

THE MIRAGE OF THE MAP

An Interrogation

London, November 15, 1911

The Press of Europe and America is very busy discussing the lessons of the diplomatic conflict which has just ended, and the military conflict which has just begun. And the outstanding impression which one gets from most of these essays in high politics—whether French, Italian, or British—is that we have been and are witnessing part of a great world movement, the setting in motion of Titanic forces “deep-set in primordial needs and impulses.”

For months those in the secrets of the Chancelleries have spoken with bated breath—as though in the presence of some vision of Armageddon. On the strength of this mere talk of war by the three nations, vast commercial interests have been embarrassed, fortunes have been lost and won on the Bourses, banks have suspended payment, some thousands have been ruined; while the fact that the fourth and fifth nations have actually gone to war has raised all sorts of further possibilities of conflict, not alone in Europe, but in Asia, with remoter danger of religious fanaticism and all its sequelæ. International bitterness and suspicion in general have been intensified, and the one certain result of the whole thing is that immense burdens will be added in the shape of further taxation for armaments to the already heavy ones carried by the five or six nations concerned. For two or three hundred millions of people in Europe life, which with all the problems of high prices, labor wars, unsolved social difficulties, is none too easy as it is, will be made harder still.

The needs therefore that can have provoked a conflict of these dimensions must be "primordial" indeed. In fact one authority assures us that what we have seen going on is "the struggle for life among men"—that struggle which has its parallel in the whole of sentient existence.

Well, I put it to you, as a matter worth just a moment or two of consideration, that this conflict is about nothing of the sort; that it is about a perfectly futile matter, one which the immense majority of the German, English, French, Italian, and Turkish people could afford to treat with the completest indifference. For, to the vast majority of these 250,000,000 people more or less, it does not matter two straws whether Morocco or some vague African swamp near the Equator is administered by German, French, Italian, or Turkish officials, so long as it is well administered. Or rather one should go further: if French, German, or Italian colonization of the past is any guide, the nation which wins in the conquest for territory of this sort has added a wealth-draining incubus.

This, of course, is preposterous; I am losing sight of the need for making provision for the future expansion of the race, of each party desiring to "find its place in the sun"; and heaven knows what.

Well, let us for a moment get away from phrases and examine a few facts usually ignored because they happen to be beneath our nose.

PHRASES V. FACTS

France has got a new empire, we are told; she has won a great victory; she is growing and expanding and is richer by something which her rivals are the poorer for not having.

Let us assume that she makes the same success of Morocco that she has made of her other possessions, of, say, Tunis, which represents one of the most successful of those operations of colonial expansion

which have marked her history during the last forty years. What has been the precise effect on French prosperity?

In thirty years, at a cost of many million sterling (it is part of successful colonial administration in France never to let it be known what the colonies really cost), France has founded in Tunis a colony, in which to-day there are, excluding soldiers and officials, about 25,000 genuine French colonists: just the number by which the French population in France—the real France—is diminishing every six months! And the value of Tunis as a market does not even amount to the sum which France spends directly on its occupation and administration, to say nothing of the indirect extension of military burden which its conquest involved; and, of course, the market which it represents would still exist in some form, though England—or even Germany—administered the country.

In other words, France loses twice every year in her home population two colonies equivalent to Tunis—if we measure colonies in terms of communities made up of the race which has sprung from the mother-country. And yet, if once in a generation her rulers and diplomats can point to 25,000 Frenchmen living artificially and exotically under conditions which must in the long run be inimical to their race, it is pointed to as “expansion” and as evidence that France is maintaining her position as a Great Power. A few years, as history goes, unless there is some complete change of tendencies which at present seem as strong as ever, the French race as we now know it will have ceased to exist, swamped without the firing, may be, of a single shot, by the Germans, Belgians, English, Italians, and Jews. There are to-day in France more Germans than there are Frenchmen in all the colonies that France has acquired in the last half century, and German trade with France outweighs enormously the trade of France with all French colonies. France is

to-day a better colony for the Germans than they could make of any exotic colony which France owns.

“They *tell* me,” said a French Deputy recently (in a not quite original *mot*), “that the Germans are at Agadir. I *know* they are in the Champs-Elysées.” Which, of course, is in reality a much more serious matter.

And those Frenchmen who regret this disappearance of their race, and declare that the energy and blood and money which is now poured out so lavishly in Africa and in Asia ought to be diverted to its arrest, to the colonization and development of France by better social, industrial, commercial, and political organization, to the resisting of the exploitation of the mother country by inflowing masses of foreigners, are declared to be bad patriots, dead to the sentiment of the flag, dead to the call of the bugle, are silenced in fact by a fustian as senseless and mischievous as that which in some marvelous way the politician, hypnotized by the old formulæ has managed to make pass as “patriotism” in most countries.

The French, like their neighbors, are not interested in the Germans of the Champs-Elysées, but only in the Germans at Agadir: and it is for these latter that the diplomats fight, and the war budgets swell.

And from that silent and pacific expansion, which means so much both negatively and positively, attention is diverted to the banging of the war drum, and the dancing of the patriotic dervishes.

And on the other side we are to assume that Germany has during the period of France’s expansion—since the war—not expanded at all. That she has been throttled and cramped—that she has not had her place in the sun: and that is why she must fight for it and endanger the security of her neighbors.

REAL EXPANSION

Well, I put it to you again that all this in reality is false: that Germany has not been cramped or

throttled ; that, on the contrary, as we recognize when we get away from the mirage of the map, her expansion has been the wonder of the world. She has added 20,000,000 to her population—one half the present population of France—during a period in which the French population has actually diminished. Of all the nations in Europe, she has cut the biggest swath in the development of world trade, industry, and influence. Despite the fact that she has not “expanded” in the sense of mere political dominion, a proportion of her population, equivalent to the white population of the whole colonial British Empire, make their living, or the best part of it, from the development and exploitation of territory outside her borders. These facts are not new, they have been made the text of thousands of political sermons preached in England itself during the last few years ; but one side of their significance seems to have been missed.

We get, then, this : On the one side a nation extending enormously its political dominion and yet diminishing in national force, if by national force we mean the growth of a sturdy, enterprising, vigorous people. (I am not denying that France is both wealthy and comfortable, to a greater degree it may be than her rival ; but she has not her colonies to thank for it—quite the contrary.) On the other side, we get immense expansion expressed in terms of those things—a growing and vigorous population and the possibility of feeding them—and yet the political dominion, speaking practically, has hardly been extended at all.

Such a condition of things, if the common jargon of high politics means anything, is preposterous. It takes nearly all meaning out of most that we hear about “primordial needs” and the rest of it.

As a matter of fact, we touch here one of the vital confusions, which is at the bottom of most of the present political trouble between nations, and shows the power of the old ideas and the old phraseology.

In the days of the sailing ship and the lumbering wagon dragging slowly over all but impassable roads, for one country to derive any considerable profit from another, it had, practically, to administer it politically. But the compound steam engine, the railway, the telegraph, have profoundly modified the elements of the whole problem. In the modern world political dominion is playing a more and more effaced role as a factor in commerce; the non-political factors have in practice made it all but inoperative. It is the case with every modern nation actually that the outside territories which it exploits most successfully are precisely those of which it does not "own" a foot. Even with the most characteristically colonial of all—Great Britain—the greater part of her overseas trade is done with countries which she makes no attempt to "own," control, coerce or dominate—and incidentally she has ceased to do any of those things with her colonies.

GERMANY'S REAL COLONIES

Millions of Germans in Prussia and Westphalia derive profit or make their living out of countries to which their political dominion in no way extends. The modern German exploits South America by remaining at home. Where, forsaking this principle, he attempts to work through political power, he approaches futility. German colonies are colonies "pour rire." The Government has to bribe Germans to go to them; her trade with them is microscopic; and if the twenty millions who have been added to Germany's population since the war had had to depend on their country's political conquest they would have had to starve. What feeds them are countries which Germany has never "owned" and never hopes to "own"; Brazil, Argentina, the United States, India, Australia, Canada, Russia, France, and England. (Germany, which never spent a mark on its political conquest, to-day draws more tribute from South

America than does Spain, which has poured out mountains of treasure and oceans of blood in its conquest.) These are Germany's real colonies. Yet the immense interests which they represent, of really primordial concern to Germany, without which so many of her people would be actually without food, are for the diplomats and the soldiers quite secondary ones; the immense trade which they represent owes nothing to the diplomat, to Agadir incidents, to Dreadnoughts; it is the unaided work of the merchant and the manufacturer. All this diplomatic and military conflict and rivalry, this waste of wealth, the unspeakable foulness which Tripoli is revealing, are reserved for things which both sides to the quarrel could sacrifice, not merely without loss, but with profit. And Italy, whose statesmen have been faithful to all the old "axioms" (Heaven save the mark!) will discover it rapidly enough. Even her defenders are ceasing now to urge that she can possibly derive any real benefit from this colossal ineptitude.

It is for "honor," for prestige—for the purpose of impressing Europe.

And one may hope that Europe (after reading the reports of Reuter, *The Times*, the *Daily Mirror*, and the *New York World* as to the methods which Italy is using in vindicating her "honor") is duly impressed and that Italian patriots are satisfied with these new glories added to Italian history. It is all they will get.

Or rather, will they get much more: for Italy, as unhappily for the balance of Europe, the substance will be represented by the increase of very definite every-day difficulties—the high cost of living, the uncertainty of employment, the very deep problems of poverty, education, government, well-being. These remain—worsened. And this—not the spectacular clash of arms, or even the less spectacular killing of unarmed Arab men, women, and children—constitute the real "struggle for life among men." But the dilettanti of "high politics" are not interested. For

those who still take their language and habits of thought from the days of the sailing ship, still talk of "possessing" territory, still assume that tribute in some form is possible, still imply that the limits of commercial and industrial activity are dependent upon the limits of political dominion, the struggle is represented by this futile physical collision of groups, which, however victory may go, leaves the real solution farther off than ever.

We know what preceded this war: if Europe had any moral conscience left, it would have been shocked as it was never shocked before. Turkey said: "We will submit Italy's grievance to any Tribunal that Europe cares to name, and abide by the result." Italy said: "We don't intend to have the case judged, but to take Tripoli. Hand it over—in twenty-four hours." The Turkish government said: "At least make it possible for us to face our own people. Call it a Protectorate; give us the shadow of sovereignty. Otherwise it is not robbery—to which we could submit—but gratuitous degradation; we should abdicate before the eyes of our own people. We will do anything you like." "In that case," said Italy, "we will rob; and we will go to war."

It was not merely robbery that the Italian government intended, but they meant from the first that it should be war—to "dish the Socialists," to play some sordid intrigue of internal politics.

The ultimatum was launched from the center of Christendom—the city which lodges the titular head of the Universal Church—to teach to the Mahomedan world what may be expected from a modern Christian Government with its back to eighteen centuries of Christian teaching.

We, Christendom, spend scores of millions—hundreds of millions, it may be—in the propagation of the Christian faith: numberless men and women gave their lives for it, our fathers spent two centuries in unavailing warfare for the capture of some of its

symbols. Presumably, therefore, we attach some value to its principles, deeming them of some worth in the defense of human society.

Or do we believe nothing of the sort? Is our real opinion that these things at bottom don't matter—or matter so little that for the sake of robbing the squalid belongings of a few Arab tribes, or playing some mean game of party politics, they can be set aside in a whoop of "patriotism."

Our press waxes indignant in this particular case, and that is the end of it. But we do not see that we are to blame, that it is all the outcome of a conception of politics which we are for ever ready to do our part to defend, to do daily our part to uphold.

And those of us who try in our feeble way to protest against this conception of politics and patriotism, where everything stands on its head; where the large is made to appear the great, and the great is made to appear the small, are derided as sentimentalists, Utopians. As though anything could be more sentimental, more divorced from the sense of reality, than the principles which lead us to a condition of things like these; as though anything could be more wildly, burlesquely Utopian than the idea that efforts of the kind that the Italian people are now making, the energy they are now spending, could ever achieve anything of worth.

Is it not time that the man in the street, verily, I believe, less deluded by diplomatic jargon than his betters, less the slave of an obsolete phraseology, insisted that the experts in the high places acquired some sense of the reality of things, of proportion, some sense of figures, a little knowledge of industrial history, of the real processes of human coöperation?

POSTSCRIPTUM

The moral which the *Spectator* draws from the Italian burglary is this:

"A Power which really desires that the peace of

the world shall be kept has no moral right to provoke the predatory instincts of mankind by remaining unarmed or by neglecting its defenses. The world is not, as some people would like to believe, and as we ourselves should like to believe were it possible, a kind of polyglot Sunday-school, but a fierce and dangerous place where those who are unprepared to defend themselves are certain to provoke attack, and where the road of safety and peace lies through the possession of physical force."

The present writer happens to have heard exactly that argument used in the following circumstances:

In a town of the American Southwest some years ago when "shooting bees," as they were humorously called by the inhabitants, were of almost daily occurrence, an unarmed Englishman was shot and killed: an unprovoked murder. A few of his compatriots, myself among the number, tried to make the City Elders realise what a monstrous crime had been committed. They replied to our representation in effect thus: "It serves him right, for he should have had his gun with him and then he would have got the drop on the other feller."

We, who happened to have seen another order of civilization, did our best to make these Elders see that they had used precisely the argument they should not have used; that if ever these murders and shootings were to be prevented the citizens should be encouraged to abandon the habit of carrying arms. To urge the community to rely on "shooting quick and getting the drop" was the road—with all due deference to the editor of the *Spectator* whose argument they had anticipated—not to peace but to anarchy and barbarism. Indeed this argument is so far recognized that under most civilized codes the carrying of arms is an offense. As a matter of simple fact the more a community like that of the Southwest armed, the worse it became. The first step toward improvement was to make the use of physical force not something

meritorious (which it was when we had "a man for breakfast" every day) but a crime—which it became in course of time, as the influx of a better and more educated class improved the traditions of the place; and then people ceased to carry "guns."

The *Spectator* would reply that it was the improvement of the police and the courts which wrought the change. And I would retort: So long as the Elders and community generally had this touching faith in six-shooters there was no movement toward, no body of feeling or tradition which would make possible, efficient police or courts. One of Bret Harte's characters, in prodigious disgust at the "Pacifists" (he did not call them that) who wanted to incorporate the town in which they lived said: "What do you want with incorporation when you've got a Colt?" So long as that is the doctrine, you are inevitably on the road, not to improvement, but to still worse conditions.

Of all the nations of Europe Turkey is the one which has relatively spent most upon armament; and the one function which she performs well is precisely the function of fighting. And, as though it were not enough that a greater proportion of her revenue than is the case with any nation in the world were given to armaments, she is now told by the Elders of civilization that she has not done enough of it, and that the only hope we can hold out for her is that she should do more. And when she does more, of course, her rivals will do more, and those rivals will make their rivals do more, and so on ad infinitum. Does the editor of the *Spectator* really believe that salvation lies that way?

At present Europe is quite indifferent to Italy's behavior. The Chancelleries, which will go to enormous trouble and take enormous risks and concoct alliances and counter-alliances when there is territory to be seized, remain cold when crimes of this sort are committed. And they remain cold because they believe that Turkey alone is concerned. They do not

see that Italy has attacked not Turkey but Europe; that we, more than Turkey, will pay the broken pots.

And there is a further reason: We still believe in these piracies; we believe they pay and that we may get our turn at some "swag" to-morrow. But when we realize that in these international burglaries there is no "swag," that the whole thing is an illusion; that there are huge costs but no reward, we shall be on the road to a better tradition, which, while it may not give us international policing, may do better still—render the policing unnecessary. For when we have realized that the game is not worth the candle, when no one desires to commit aggression, the competition in armaments will have become a bad nightmare of the past.

NORMAN ANGELL.

INTERNATIONAL CONCILIATION

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PHILOSOPHY OF THE THIRD AMERICAN PEACE CONGRESS



BY

THEODORE MARBURG

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New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on p. 31.

Theodore Marburg was born in Baltimore in 1862, and has been identified with all that is best in the life of that city. He was the organizer of the Municipal Art Society of Baltimore, of the American Society for Judicial Settlement of International Disputes, and of the Maryland Peace Society.

The success of the Third American Peace Congress held in Baltimore was largely due to his efforts. Mr. Marburg's review of the leading ideas of this Congress will, it is believed, be of interest to the readers of the publications of this Association, and will be of particular value to those who use the pamphlets as a preparation for debate or public speaking.

PHILOSOPHY OF THE THIRD AMERICAN PEACE CONGRESS

The aim of the peace movement is not a subject of controversy. Where difference of opinion enters is as to method: whether armaments or courts are the best instruments for preserving peace. And here the militarists have been put on the defensive; *i.e.*, armaments, as well as war, are universally recognized as an evil to be dispensed with just as soon as a practical plan for their suppression presents itself.

War involves biological and moral loss as well as economic loss. The reign of law between nations would promote the cause of justice by extending its sway, by increasing men's respect for, and love of, justice, and by strengthening the habit of doing justice. The new system is already partly inaugurated and must prevail; but armaments will be maintained while it is being put to the test.¹

The period of time this process will occupy will depend on the extent to which men direct their energies toward it and especially on the measure of attention they succeed in getting their statesmen to give to it. When conditions are ripe the act of a single man charged with power may advance a cause a full generation. If, on the other hand, the opportune moment is allowed to pass, a series of untoward events may distract and discourage its advocates and divert the popular interest.

The most pressing peace measure before the country today is the proposed all-inclusive treaty of arbitration with Great Britain.² A common language, literature, and kinship of institutions and law, all offer reasons why this treaty should be consummated. These two countries have been more happy than others "in reconciling and adjusting legitimate au-

¹ Richard Bartholdt.

² Theodore E. Burton.

thority with personal liberty."³ Such a treaty will not only insure peace between the two contracting nations, but by offering an example which other nations are bound to follow "will prepare the way for enduring peace throughout the world."⁴ It may therefore prove to be an epoch-making event.

"The only way for a man to rise above the presidency of the United States is to ascend into the international realm."⁵ This President Taft has done by the utterance of which the pending treaty with Great Britain is the outcome: namely, his declaration in favor of a treaty with some power by which all questions not resolvable by diplomacy shall be referred to an arbitral court. President Taft has laid the axe "to the root of international war."⁶ But such a treaty must not be regarded as bringing an end to war at once.⁷ It is only a step toward the goal "to be followed by other steps as rapidly as possible." Now that mediation is recognized as a friendly act and a duty, the various chancelleries of the world are themselves agencies for the promotion of peace. Having become a powerful nation the United States has duties to discharge to weaker nations and a responsibility for the peace of the world in its neighborhood. With the aid of certain South American countries it has during the present administration succeeded in averting wars in four separate instances.^{8, 9}

A great source of war today is found in the governments which "do not exercise complete control over their people." It is the duty of the United States and of the other great republics in the two Americas to exercise their "kindly and peaceful influence to prevent such outbreaks." Unfortunately suspicion is cast on the motive of the United States in tendering its good offices, a suspicion which is baseless because we

³ James Cardinal Gibbons.

⁶ Andrew Carnegie.

⁴ James Cardinal Gibbons.

⁷ President Taft.

⁸ Hamilton Holt.

⁸ President Taft.

⁹ Huntington Wilson.

have ample territory in which to work out the experiment of popular government and there is therefore among us an entire absence of any desire for aggrandizement of territory.¹⁰ While interference in the internal affairs of a state has been a prolific source of oppression and of war in the past, it is equally true that a broad rule of non-interference is unworkable.¹¹ Misgovernment is bound to lead to foreign complications. It was the injustice and oppression practiced by the Turkish state which drew down upon Turkey the vengeance of other powers. If just government had obtained in Cuba the island would still belong to Spain; and unless the Johannesberger had been oppressively taxed there would have been no South African war. Why is it that there is danger of interference by the United States in the internal affairs of Mexico and no such danger with respect to Canada where there is an ever-growing number of Americans?

Is it not simply because of the difference with which justice is meted out by the law and the courts in the two countries? The modern world insists upon a standard of government as well as upon a standard of living. "Peace rests on justice" and not on the "international figment that the internal affairs of a nation are of no consequence to another."¹² It cannot be secured by machinery which leaves "unavenged and unredressed the misery of millions and the worst of all human wrongs, injustice at the fount of justice, spoliation under the guise of taxation" and the denial of rights to men. This principle is definitely set up in the Platt Amendment by which the United States requires of Cuba the stamping out of pestilence, the maintenance of order and the enforcement of contracts. It would be well to extend the principle by organizing under an international commission all countries whose protracted internal disorder makes of

¹⁰ President Taft.

¹¹ Talcott Williams.

¹² Talcott Williams.

them danger-points.¹³ Such a commission would make more secure the independence of such countries by taking away the excuse for interference on the part of a single power whose act may result in permanent occupation with or without previous intent.

War is a plentiful source of injustice and suffering, but it is not the only source.¹⁴ There may be a steady denial of justice which results in profound human misery. In time of peace there may be actual loss of life—as in the massacres in Turkey—greater than that which results from war. War is to be condemned especially because it is such a source of injustice; but “what we are seeking is first justice and next peace.”¹⁵ Disarmament must therefore follow the establishment of justice, not precede it. Men laid aside their rapiers when they found they were safe without them. Just so armaments will drop away of their own accord when they are no longer needed.¹⁶ We all desire to see the rule of reason supplant the rule of force, but suppose there is no reason? “You cannot appeal to reason when facing a pack of wolves.” Within the leading nations, as a rule, there is internal order, a love of justice and respect for law. Between certain of them the rule of reason has likewise long prevailed in external relations, and as to such states it is quite safe to set up treaties which provide for the peaceful settlements of all disputes between them.¹⁷

Ignorance of each other is a source of distrust. Mixture of upright intentions and downright ignorance produces folly. We can do much for peace by simply knowing each other better.¹⁸ As great as will be the uses of the Panama Canal as a commercial artery, they will be outweighed by its usefulness in bringing the nations closer together.¹⁹

¹³ Talcott Williams.

¹⁴ Lyman Abbott.

¹⁵ Lyman Abbott.

¹⁶ Price Collier.

¹⁷ Lyman Abbott.

¹⁸ Price Collier.

¹⁹ Champ Clark.

The Pan-American Union, devoted to the development of commerce among the twenty-one nations of the western hemisphere, acts upon this principle. The seven million people who compose Latin America are looking to the United States for leadership and sympathy and help, and the Union aims to be the channel through which it may all flow.²⁰

The frequent internal disturbances in South American countries must not blind us to the fact that in international relations they have displayed forbearance and a sense of justice of a high order.²¹ In the past three generations the map of South America has not changed nearly so much as the map of Europe. If the methods which were applied to Poland had obtained at the end of the war between Argentina, Brazil and Uruguay on the one hand, and Paraguay on the other, the latter country would have been effaced from the map of South America. Despite the fact that Paraguay was the aggressor, no territory was taken from it. Its victors magnanimously recognized the fact that the conflict was due to the acts of a dictator and they refused to penalize a people simply because they were in a backward stage of political development.²²

In South America it is not so much the conscious desire to appropriate another state's territory as the uncertainty as to where the boundary line runs that leads to difficulty. The dense tropical jungles of the interior are only now being explored and shadowy territorial claims are found to conflict. What is needed is a geographical delimitation of boundaries²³ to be followed by an agreement that hereafter in the two Americas "no territory shall be transferred as a consequence of war."²⁴

Like geographical delimitation of boundaries is needed in Africa and Asia. For example, in the case

²⁰ John Barrett.

²¹ Leo. S. Rowe.

²⁴ James L. Slayden.

²² Leo. S. Rowe.

²³ Charles C. Yates.

of the Chinese Empire, her "practically unmarked and geographically undefined boundaries" extend more than eight thousand miles, abutting the possessions of the British, French, Germans, Portuguese, Russians and Japanese.²⁵

The Monroe Doctrine should not be used as an excuse for undue interference in the affairs of Latin America nor for imposing on it our own views of government.²⁶ To the extent to which it retards European immigration into that region, the doctrine is injuring it. The foreigner, including the citizen of the United States, who locates in a Latin American country, has no right to claim security of person or property superior to that which the citizen of that country enjoys. He can demand only the equal protection of the laws. This applies equally to times of political upheaval and to times of peace. "If the forms of law be more rigorous than are known at home, if their manner of execution be more severe, if the government be less able than his own to insure him the blessings of liberty," be it remembered that in the eye of international law he consents to this order of things when he enters the land.²⁷ Spanish American countries suspect us of desiring to control their foreign relations and to regulate their internal affairs. "They have a right to demand that we shall treat them as we would have them treat us if they were strong and we were weak."²⁸

The behavior of the private citizen abroad is a considerable factor in giving direction to international relations. As governmental action is influenced powerfully by popular opinion, the impression conveyed in foreign lands by honest dealing and considerate conduct on the part of the stranger, as well as the color given by newspapers to events in foreign lands, are of much importance.²⁹

²⁵ Charles C. Yates.

²⁷ James L. Slayden.

²⁶ James L. Slayden.

²⁸ James L. Slayden.

²⁹ Huntington Wilson.

The good relations of the world are markedly promoted by candid and well-meaning diplomacy, by acts which in private life would be regarded as gentlemanly and which advance international morality; acts such as England's cession of the Ionian Islands to Greece, the withdrawal of the United States from Cuba after the latter had been aided in the difficult task of establishing an independent government, and the repayment by the United States to China of the Boxer indemnity.^{30, 31}

If international institutions eventually furnish as satisfactory a method of settling disputes between nations as municipal institutions now offer for the adjustment of differences between private individuals, it is reasonable to assume that public war will disappear just as the rule of private war has disappeared.³² The perfection of such institutions is therefore the duty of the hour. It is the practical means of attacking the problems of war and of armaments. The defect which has characterized arbitrations—namely the tendency to compromise in lieu of declaring exact justice—has been less marked since the establishment of The Hague Court which seems to feel its responsibility to act more as a court and less as an agent merely to compose differences. An analysis of nine decisions by the court leads to the conclusion that only one, the Casablanca decision, is a manifest compromise, that two others are affected with the spirit of compromise, and that the remaining six are free of this suspicion.³³ The question is raised whether compromise should not be left to the field of negotiation and whether a court should not be held strictly to the law and the facts. The establishment of a true international court of justice might, in course of time, bring this about through the gradual neglect of the Permanent Court of Arbitration. The worst form of compromise is that which colors the very reasoning of the

³⁰ Robert Stein.

³¹ Huntington Wilson.

³² Wm. C. Dennis.

³³ William C. Dennis.

court, thereby affecting the development of international law. This tendency is encouraged by permitting the president of the court and one other official to sign the award—as under the present Hague convention—in lieu of requiring each judge to signify separately his approval not only of the award but of the reasoning of the court.

The element of compromise in arbitration may be reduced by letting the arbitrators understand that unless the terms of the submission are respected, the decision may be set aside by a higher tribunal clothed with authority to entertain an appeal; by the adoption of a code of procedure; by the exclusion of nationals from the tribunal; and by establishing either the right of challenge in the selection of judges, or, better still, the practice of selecting judges by direct agreement as provided in article 46 of The Hague convention of 1907.³⁴

The peace movement is an endeavor to substitute law for force in the relations of nations, to do between the nations what has already been done within the nations.³⁵ To what extent actual federation of the nations is required to bring this about is at present not clear. The mind, starting with the analogy of a federal state, soon enters this domain of speculation. It finds a measure of coöperation already existing among the nations. It finds in embryo certain institutions which might readily be developed into federal institutions. Such is The Hague Peace Conference, (which will probably meet hereafter at fixed intervals,) a quasi-legislative body whose members are appointed by the executive branches of the various governments and whose conclusions have great weight with the home governments. Such again is the Interparliamentary Union, an annual unofficial gathering whose position it is proposed to strengthen by having its members selected by the various home legislatures. These two

³⁴ William C. Dennis.

³⁵ Hamilton Holt.

bodies, if joined together, would thus be constituted on the principle of an upper and lower house.

Still another essential of a federated world state is found in embryo in The Hague Court which is certain of rapid growth. The least developed of the three great branches of a world state is the executive; though its beginnings are found in the international bureaus which we owe so largely to conscious effort on the part of one man, Henri La Fontaine. The policing of Morocco, the North Sea, and the Behring Sea, likewise come under this head.

Whether we shall proceed to actual world federation is not a problem for present day politics. The formation of the American Union out of a people speaking a common language and inheriting common institutions was a simple matter when compared with the problem of uniting nations which have common interests, it is true, but which are controlled by widely differing motives and ideals. The impelling motive for the union of the American colonies was defense against an outside aggressor rather than the desire to avoid armed conflict among themselves. This motive cannot exist for the great powers, including Japan and presently China, because no formidable outside enemies would remain. Moreover, is actual federation necessary to the world's peace? If the attitude of the United States toward European aggrandisement in the western hemisphere has substantially prevented European countries from waging war here, why cannot the united will of the great powers prevent it over the world generally? ³⁶

The creation of a deliberative assembly which shall meet periodically to help regulate international relations,³⁷ the firm establishment of a high court or courts to compose differences and to interpret the regulations declared by the deliberative assembly, together with an international police to operate in backward countries—a body which shall be purely a police and not a mil-

³⁶ W. O. Hart.

³⁷ Hamilton Holt.

itary force—is perhaps all that is needed and all that we may safely project for the present. Force will not be needed to induce the more progressive nations to respect the award of an international tribunal. Furthermore the attempt to use it against any of the leading powers would be disastrous. The principle of the international court, once introduced, must win by sheer weight of its reasonableness. No nation which has justice for its guiding star need ever fear the award of such a tribunal. If that which a nation has done or is planning to do is just, certainly it should not hesitate to enter it. Under such a régime some of us may be restrained from doing again what we have done in the past; others of us may be allowed the fulfilment of just ambitions which powerful rivals have previously forbidden to us.

The world is changing its mind about the difficulty of submitting purely political questions to international tribunals. The two Hague Conferences not only created new machinery for dealing with international disputes, but, by that fact as well as directly, greatly enlarged the scope of arbitration by increasing the kind of questions which may be dealt with by arbitration. Questions supposedly involving national honour actually have been solved by these new institutions at The Hague, namely the Commission of Inquiry and the Permanent Court of Arbitration; and questions of national policy so often turn upon questions of fairness and justice that nations may soon learn to submit these as well. Whereas in the past peace has been preserved over wide areas by empire, *i.e.* by force, the tendency now is to preserve the peace by leaning on the power of the intellect, *i.e.* upon reason as defined by some authorized agency.³⁸ It is significant that we are beginning to think in terms of arbitration and the peaceful settlement of disputes rather than in terms of war. As international institutions for the settlement of disputes

³⁸ Edwin M. Borchard.

grow, the minds of men will turn naturally to them when difficulties arise and the possibility of war growing out of such disputes will not be the first thing on men's lips.³⁹ ⁴⁰

Since the Second Hague Conference the United States has been more active than any other government in promoting the establishment of institutions and practices calculated to make war difficult.⁴¹ Secretary Root negotiated many treaties looking to the reference of future disputes to arbitration. Secretary Knox has taken the lead in endeavoring to bring into being the court of arbitral justice. The Congress, by joint resolution, invited the President of the United States to appoint a commission to consider the question of armaments and the question of coöperation by the powers to make the peace of the world more secure; and President Taft is favoring and actually negotiating an all-inclusive treaty of arbitration.

In respect of the nature and enforcement of her neutrality laws, however, the United States has not only not kept the position in advance of the world which it once enjoyed, but has fallen markedly behind the best practice.⁴² ⁴³ The wholesale participation of citizens of the United States in the revolution in a neighboring state with which we were at peace is a matter of common knowledge. They crossed and recrossed the frontier with arms, seeking temporary refuge on American soil when worsted. The President should have power to control the intercourse with other countries so as to avoid having American soil made the base of operations against such countries whether in time of insurrection or in time of war.⁴⁴ Our neutrality laws were put in their present shape in 1818. President van Buren (1833) and President Arthur (1884) both urged

³⁹ Frederick Lynch.

⁴⁰ Madeleine Black.

⁴¹ Benjamin F. Trueblood.

⁴² John W. Foster.

⁴³ Leo S. Rowe.

⁴⁴ John W. Foster.

upon Congress a revision of them. Great Britain visits with fine and imprisonment the enlistment of its citizens in the forces of a country engaged in war against another power with which it (Great Britain) is at peace; and the larger countries of Latin America have followed its lead. During the recent disorders in Uruguay its neighbor Argentina assumed an admirable attitude in this respect.⁴⁵

As against the adoption of strict neutrality laws we are sometimes reminded that the American Colonies would not have achieved their independence except for the aid of the French. But the important assistance which France gave to us, it must be remembered, was an open and public act, amounting to an alliance against England. Lafayette's greatest service to us was in securing that alliance rather than in any personal service, however chivalrous, in the field. The government can never prevent its citizens from aiding a foreign cause which appeals to their sympathy. But backward neutrality laws and lax enforcement of existing laws certainly engender a feeling of resentment on the part of foreign governments which are made to suffer by reason of them.

America, holding aloft ideals of liberty at home, should be foremost in a liberal foreign policy.⁴⁶ Its wealth, geographical position and the fact that England, formerly its opponent, is now its best friend, gives it less excuse for failure to live up to the highest ideals in all its international relations.⁴⁷ Its actions should fit its creed. "I believe it weakens a man, a society or a nation to have purposes that find no plans."⁴⁸

America's people are the children of so many lands that so far as blood is concerned the greater part of Europe is their mother country. That fact should excite America's interest in the welfare of Europe.⁴⁹

⁴⁵ Leo S. Rowe.

⁴⁶ Price Collier.

⁴⁷ S. C. Mitchell.

⁴⁸ Price Collier.

⁴⁹ S. C. Mitchell.

Moreover it is not afflicted with an excess of population for which an outlet may be required. "It is in the power of America to insure the peace of the world." This is the biggest task of the twentieth century and "if America richly endowed with energy of will springing out of popular sympathy with progressive causes and exhaustless material resources, once gets a vision of the active part it can play in bringing the blessings of peace to the world" it will prove irresistible.⁵⁰ To arouse the people so that they will take up this question in earnest is a long and difficult task.⁵¹ "You can hardly expect people who do not exert themselves on the side of honest and fair dealing in local and state affairs to be alert or enthusiastic respecting those problems which call for an intelligence or a patriotism transcending the bounds of state or nation. They need to be impressed with the moral grandeur of a world united in seeking the good of mankind, and of governments honestly, sincerely, devoutly striving to establish justice."⁵² It is the duty of America to reconcile outside its border the peoples it has reconciled within its borders.⁵³

There is a close analogy between the growth of law between the nations and within the nations.⁵⁴ Wrong to the individual was formerly redressed by him without let or hindrance from the state. Next, the wrongful act of the individual involved a collective responsibility on the part of all related to him by blood, just as today still the acts of malevolent or stupid rulers bring out people from peaceful pursuits to be killed on the battlefield. When tribal responsibility succeeded to family responsibility an elaborate system of money compensations took the place of private or family retaliation; and gradually as society became better organized, crime and misdemeanor

⁵⁰ S. C. Mitchell.

⁵² Samuel T. Dutton.

⁵¹ Samuel T. Dutton.

⁵³ Henri La Fontaine.

⁵⁴ W. I. Hull.

came to be recognized as a wrong against the body politic, something which it was the business of the latter to punish. The struggle of society to regulate private war was long and arduous. The trial by ordeal of fire and water allowed to ecclesiastical courts, and the trial by battle, both practised for such a long period of time as supposed methods of inviting divine intervention in favor of the right, are looked upon now as the crude inventions of a stupid age. But are we not equally stupid today when we resort to war between nations as a means of determining the right or wrong in an international dispute? The work of evolving between the nations a system of justice such as obtains within the nations is still before us. We have still to lay down the principle that a wrong by one state against another is a matter with which the society of nations must concern itself; that the International Commission of Inquiry, like the grand jury in English municipal law, must not stop with the inquiry but must evolve eventually a body which shall exist for the purpose of passing upon international wrong-doing, and must present the culprit for trial by a permanently constituted tribunal; that, in other words, the society of nations and not the individual nation will set right an international wrong.⁵⁵ Under such a system occasional miscarriage of justice may be expected exactly as in municipal law; but how insignificant will this be when compared with the wholesale injustice, private and public, which flows from war. So, too, must we expect an occasional war on a mighty scale when numbers of states shall be divided on a question, just as we have civil war today within the state; but such catastrophes should be increasingly rare.

A modern development which is most promising for the eventual peace of the world is the growing extent to which political power is passing from a ruling class into the hands of the people, from those who stand

⁵⁵ W. I. Hull.

to gain by war to those who forever stand to lose by it.⁵⁶

Immanuel Kant remarked long ago that wars would not cease till autocratic government ceased. The problem now is to get the people to think on their political affairs and not follow their leaders blindly. It is the informed will of the people and not the emotional will of the people that must lead to higher things in government. Even today in the very best governed countries the people are still the last body to trust when the war spirit is abroad. The most conservative body in a democracy is the elective cabinet. Its chief and its members know that no matter what the popular passion or the passing vagaries of the legislature, it is they, the cabinet, who will be pilloried before history and held responsible for an unjust or disastrous war.

This state of things may be changed. The dangerous flaming up of popular passion into an appetite for war is possible only because the masses do not measure the consequences either of war or peace. They are too quick to rush to war, and, if reverses come, are too quick to tire of it. There is still unreasoning assent to the leadership of demagogues. The average man "has the impression that he is not in a position to know the facts and that, if he did know them, he would not be qualified to reach a proper conclusion" about war and peace. When war is threatening the people should be made to realize how absurd it is to take "one hundred thousand lives to settle a question which can be better adjusted without the loss of any."⁵⁷

In private affairs the settlement of disputes by reference to an impartial tribunal has for centuries been an accepted principle: "the strongest minds in the world have long given their best thought to its application."⁵⁸ The invention of man which supplied

⁵⁶ Allen S. Will.

⁵⁷ John G. Murray.

⁵⁸ Allen S. Will.

the tribunal for individuals must in time prove adequate to the task of creating a similar tribunal for the nations.

The present suspicions and hostile attitude of states are portrayed in the vast war preparations and in actual conflicts. The recent decade, 1895-1905, has been the most warlike since Waterloo. "In fact the most disquieting and discouraging feature of the moral and political life of our time is the profound distrust with which the leading nations of the world regard one another."⁵⁹

Europe has for many centuries been a greater offender in respect of war than Asia.⁶⁰ In Europe military power has long been an essential to national greatness. Japan's rapid development in the arts of peace brought to her no such recognition among the powers as did the conduct of two successful wars. A coalition of European powers seemed bent on the partition of China. Territory was seized, railway and mining concessions demanded, and the Chinese Empire actually mapped out into spheres of influence. It was only by waging war against the principal aggressor that Japan succeeded in stopping the movement.⁶¹

The state of war conceived by Hobbes in the *Leviathan* as the condition of man previous to the social compact is found in international relations in the twentieth century.⁶² It was by surrendering certain liberties that primitive society rose out of the condition of private war, the institution of the state presupposing a tacit compact under which men mutually agree to abstain from certain acts for the sake of the general good. It was the need of defense against a common enemy more than the love of justice or desire for peace and order within the group which gave rise to primitive organization and eventually to the state. Group struggle, which arose early

⁵⁹ E. H. Griffin.

⁶⁰ F. Iyenaga.

⁶¹ F. Iyenaga.

⁶² E. H. Griffin.

in the history of animal life, called for coöperation which could only arise with the development of altruistic qualities and obedience to a common superior. The interdependence of nations has not yet reached a point where one state may not dispense with the coöperation of others. This fact helps to explain the continuance of a state of war among nations long after private war has ceased. In order to rise out of the intolerable condition of war in which the nations as such still labor, there must be a general surrender of certain privileges at present still regarded as essential elements of sovereignty. Whether it will be a group movement undertaken to protect the interests of the more liberal-minded against the stubbornness of certain powerful entities which insist on continuing in the old condition of armed peace, or whether it will develop through general coöperation of all the leading powers, depends on the men who are guiding the destinies of the several states as well as on the general public sentiment which statesmen in the end are compelled to obey. "It is through some wisely conceived application of this idea"—the idea of the surrender of certain rights by tacit or express compact such as took place when the American Union, the Swiss Confederation and the German Empire were formed—"that the peace of nations is to be safeguarded.⁶³ An indispensable feature of such a régime, whether it be secured by all-inclusive treaties of arbitration or by a governing council, is an international supreme court, because, subsequent to public justice is the tribunal which is to decide among the complex and varying acts of men what is just and what unjust, as well as an agreement on the standards by which the acts shall be adjudged.⁶⁴ States could safely agree to submit to such a tribunal all questions except independence. "It would certainly seem reasonable to say that, as a man may not contract himself into

⁶³ E. H. Griffin.

⁶⁴ E. H. Griffin.

slavery, so a nation may not submit to any tribunal the question of its own existence."⁶⁵

The bearing of war on eugenics is disclosed by the most casual examination of history. The losses in war, both in Greece and in the Roman state, are principally responsible for the decline of Greece and Rome.⁶⁶ Mommsen estimates that three hundred thousand Italians, chiefly Romans of the best stock, perished in the Punic wars. Added to the loss in war was of course the judicial murder of the most talented and most enterprising in Greece, due to the jealousy of princes, and the wholesale proscriptions in Rome, where, on one occasion, ninety senators and twenty-six hundred knights, and on another, one hundred senators and two thousand knights were the victims. The decline of the Roman Empire was physical rather than moral; it perished because the Roman stock was killed off. This reversed selection, as David Starr Jordan has termed it, has gone on throughout European history.⁶⁷

Internationalism was born of intercourse. It practically did not exist in the days when travel and communication were difficult and costly. Improvement of transportation, leading to the enormous steady flow of persons, commodities and ideas from nation to nation, is the force which is making for better relations between the peoples of the earth.⁶⁸ Nationality is no longer as preponderant a bond of union among men as formerly. Strata of interests, extending beyond the boundaries of the nation, constitute a warp and woof which are slowly weaving mankind into a united whole. Out of the practical need of removing hindrances to communication and of protecting property and rights beyond the borders of one's own country have grown the numerous international bureaus. Supplementing these are the societies designed to promote the interests of a particular science,

⁶⁵ E. H. Griffin.

⁶⁶ Eleanor L. Lord.

⁶⁷ Eleanor L. Lord.

⁶⁸ Henri La Fontaine.

art or industry. There exist today over three hundred international institutions, and every meeting or congress of an international character is making for peace.⁶⁹ The Central Office of International Associations at Brussels convoked in 1910 the first congress of such associations; one hundred and thirty-six separate organizations were represented. Conscious effort, supplementing the natural process, can promote and quicken the growth of international bureaus and associations.

The annual value of international commerce today is thirteen thousand five hundred million dollars, to which must be added the international transactions involved in navigation, railway traffic, telegraph, financial investments abroad, remittances on account of them, remittances by emigrants and the money expended in travel abroad.⁷⁰

The thorough commercial organization effected by business men indicates what could be accomplished by the great world of business for peace provided it gave serious attention to the problem. In many European countries associations of business men, besides furthering local interests, are consulted through their federated organizations by the commercial and industrial departments of the government. "In Austria the Chambers are entitled to four seats in Parliament."⁷¹ In other places they supervise "the industrial, commercial and vocational schools" and public docks. Through the International Chamber of Commerce, which is composed of the various national chambers, business men have been instrumental in having their governments call three international conferences relating to trade matters.⁷²

The business man, having as his constant aim elimination of waste, sees most clearly the waste involved in war and in the preparations for war, preparations which leave the nations in the same relative

⁶⁹ Henri La Fontaine.

⁷⁰ John Ball Osborne.

⁷¹ U. J. Ledoux.

⁷² U. J. Ledoux.

position at the end of each succeeding year.⁷³ They see the inconsistency of preserving the natural resources of the country and piling up a legacy of debt by militarism. They recognize the interdependence of nations, the prosperity of one being reflected in the prosperity of others. They realize what ameliorations—industrial, philanthropic, and public,—would be made possible by diverting to such uses the treasure now expended on armaments. Therefore, when any practical measure is proposed, such as President Taft's all-inclusive treaty of arbitration with Great Britain, they are found zealously coöperating.⁷⁴

The real struggle before the world is the commercial struggle. Europe is handicapped in this by the mistakes of the past. If America follows in her footsteps it will be deliberately throwing away a great advantage which it is still possible for it to enjoy.⁷⁵

China might be saved from a similar burden by neutralization. If the great powers jointly entered into such an agreement with it, China could feel confident that the agreement would be faithfully kept, and could then bend all its energies to the development of its neglected natural resources.⁷⁶

Heavy foreign investments make a people cautious about going to war with a country in which they have such investments.⁷⁷ The Russian loans held in France constitute a guarantee of peace equal to the "entente cordiale." In the light of this fact the present practice of discriminating against foreign securities by an extra tax and by forbidding trust estates and savings banks to hold them is impolitic.

Few nations have within themselves the resources for a protracted war. Japan would hardly have undertaken the struggle with Russia unless assured of foreign financial support. Certainly she could not have continued it for many weeks unless that support

⁷³ John Hays Hammond. ⁷⁶ d'Estournelles de Constant.

⁷⁴ John Hays Hammond. ⁷⁷ John Hays Hammond.

⁷⁷ James Speyer.

had been forthcoming. Therefore an agreement among the leading powers to discourage the placing of foreign war loans in the home market until the intending belligerents had exhausted peaceful methods would act as a deterrent of war.⁷⁸

In this connection it is significant that attempts are seldom made to place government loans abroad without first securing the open approval of the chancellery of the country from which the loan is expected.

ARMAMENTS.

The expenditures of the United States government on the army and navy and on pensions, the legacy of past wars, amounts to twenty-five dollars a year for every family of five persons. Inasmuch as the incidence of taxation causes this burden to fall ultimately in large part on the wage earner and so many wage earners even in our best-conditioned cities are on the border line of poverty, the tax for armaments means to them the difference between a promising and a hopeless struggle against poverty.⁷⁹

In many cases the initial cost of a United States battleship is greater than the value of the grounds and buildings and productive funds of all the colleges and universities in the state whose name the battleship bears.⁸⁰ This is true of Oregon, New Hampshire, Alabama, Louisiana, Georgia, Nebraska, Delaware, Vermont, Rhode Island, Idaho, Mississippi, North Dakota, South Carolina, West Virginia and Montana. The annual cost of maintaining the largest ships is over three quarters of a million dollars apiece. There are but few universities whose annual budget exceeds that sum. The total cost of maintaining the battleships of the United States during 1910 was a little over twenty-four and one-half million dollars. The total revenues of all the colleges and universities

⁷⁸ James Speyer.

⁷⁹ J. W. Magruder.

⁸⁰ Charles F. Thwing.

in the United States for 1909, from tuition fees and productive funds, was about twenty-five million dollars. Taking into account depreciation, the cost of the "thirty-eight battleships for a single year is greater than the administration of the entire American system of higher education."⁸¹

We may proceed on the assumption that the world already realizes the waste of armaments as well as the horrors and injustice of war and seeks only a means of escape from them.⁸² Institutions which offer a substitute for war may be set up by a few nations and used by few or many. Progress has therefore been made along this line. The difficulty with the question of armaments is that only by joint agreement of all the great powers can their growth be arrested.

Russia issued the call for the First Hague Conference for the avowed purpose of stopping the growth of armaments. England, France, Japan and the United States would unquestionably favor concerted action directed to that end. Austria and Italy would follow the lead of their ally, Germany; and as this exhausts the list of great powers it is therefore on Germany that the world waits.

So long as Germany declines to discuss the matter of an agreement to regulate the growth of armaments the question is not a question of practical politics. If the time be ripe—as many believe it is—for such a step, it needs only some great German with a mind and heart equal to the task to lift this burden from his own country and from the world. When we remember how Germany has been trampled upon in past centuries for lack of military organization we cannot blame it for wanting a strong army and navy. But a frank discussion of plans with other nations might disclose the fact that Germany's relative strength as against probable foes is likely to remain

⁸¹ Charles F. Thwing.

⁸² Daniel Smiley.

the same after years of steady increase in military budgets and that an agreement to limit expenditures, to say the present budgets even, will leave Germany relatively just as strong and save millions to all of us.

EDUCATIONAL

The educational side of the peace movement has practical value because it must depend ultimately upon the attitude of the people whether the peace institutions which the world is endeavoring to set up will be respected and used, or whether, in moments of popular excitement, they will all be brushed roughly aside and the nations rush to war despite of them.

This education cannot begin too early in life. "As the boy stores up impressions, prejudices, sympathies, so the man legislates and the nation makes friends or foes."⁸³

Of course, it is the beauty of the world and not its gloom which is to be pointed out to little children; but the peace question may be dealt with from that side. Inspiring in the child a friendly attitude toward the world, prompting it to be fair by acquiring the habit of putting itself in "the other fellow's place," showing it how much each nation owes to other nations, these are the ideas which make possible an intense patriotism without chauvinism.

While of course preserving a study of war on account of the important part it has played "in both social and national evolution" it is highly desirable to avoid the waste at present resulting from a study of the details of campaigns.⁸⁴

Help children to realize that the lessening of suffering and saving of life are the heroic things. Cause them to feel profoundly the overwhelming importance of justice in human affairs and how little the ends of justice are served by war. "Prosperity depends on

⁸³ Lucia Ames Mead.

⁸⁴ Fannie Fern Andrews.

peace, and peace depends on justice, and justice depends on far-sighted organization."⁸⁵

Is the teaching of history at all adequate unless young people are informed of the leading facts about the Hague Conventions, what they have accomplished and what their promise? Let them know how much their own country has done for peace and the things still to be striven for.⁸⁶ Young people must come to feel that only the right is in the long run the expedient; in other words, be given a moral basis which alone will enable them in times of excitement to withstand popular clamor for war.⁸⁷ There should be conveyed to them the philosophy of law and justice, its meaning in the life of every boy and girl, beginning with the laws of the schoolroom, the town and the state, and proceeding thence to the international field where the operation of justice is interrupted by war.⁸⁸ The teaching of international arbitration, humanity and brotherhood is already prescribed as part of the curriculum in the primary, secondary and normal schools of France.⁸⁹

But it is during the college period principally that character and purpose take shape. The college and university represent homes widely scattered. They are gardens by the sea whence wind and tide carry "seeds to fructify distant lands."⁹⁰ War is emotional and thoughtless. To cultivate in men the habit of thought is to undermine the institution of war. The college preëminently stands for thought.⁹¹ The mind of the under-graduate is in a receptive mood, ready for ideals, ready for noble causes, weighing motive and the appeals of life. "It is the dream time and yet the time when impulses harden into life purposes."⁹² Great public causes which are not controversial and not ephemeral should therefore be es-

⁸⁵ Lucia Ames Mead.

⁸⁹ Fannie Fern Andrews.

⁸⁶ Lucia Ames Mead.

⁹⁰ F. W. Boatwright.

⁸⁷ Isaac Sharpless.

⁹¹ Charles F. Thwing.

⁸⁸ Milton Fairchild.

⁹² F. W. Boatwright.

poused where youth congregate, since nowhere may they be so effectively advanced.

The young are naturally combative; the doctrine of non-resistance is not apt to appeal to them.⁹³ But show them that here is a great cause with its roots deep down in the past, that Christianity, which moved slowly toward the abolition of the slave, is moving likewise toward the abolition of war; that causes which were formerly fought over are now settled by arbitration and inquiry; that certain definite institutions which are calculated to make war less common have actually come into being and are in operation; and let them feel that in the light of the recent past the cause does call for struggle still—long and gigantic struggle—and they will become interested.⁹⁴ Show them that today still “Nations as soon as they become self-conscious are associations of people for the purpose of taking other people’s land”⁹⁵ and that it is a far cry from this to a family of nations “united in international bonds which shall make it at once the duty and the interest of each nation to seek and maintain the integrity and freedom of every other.”⁹⁶ The peace movement in point of practical achievements has only just begun. Its tasks are all before it. No headway whatever has been made against armaments. To the establishment of a court of law for the nations we may look forward with confidence; but such a court cannot function wholly satisfactorily until the nations reach an agreement on the subject of the law which the court is to administer.⁹⁷ Jurists in their private capacity, though preferably in coöperation, may do much toward formulating such a law, its formal acceptance by the nations coming in good time. The firm establishment of the international court and the formulation of international practice into accepted and definitive law are two most urgent needs to which

⁹³ Thos. S. Baker.

⁹⁴ Thos. S. Baker.

⁹⁵ Poesche and Goepp, quoted by Thos. S. Baker.

⁹⁶ Ethelbert D. Warfield.

⁹⁷ James Brown Scott.

the coming generation must bend its energies, for "peace between nations is as impossible in the absence of law and justice, as peace is impossible among men in the absence of law and orderly administration."

Procedure, the peaceful means by which rights are preserved and wrongs redressed, must be extended into the international field.

We need furthermore a scientific study of the causes of the disease of which war is a symptom and an examination of the social cost of war in all its aspects⁹⁸—biological, ethical and economic.

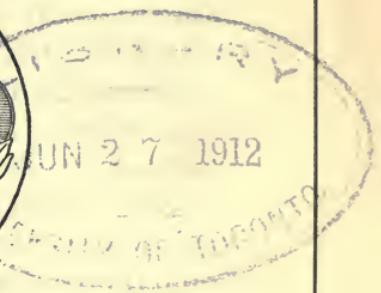
⁹⁸ James Brown Scott.

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THE INTERNATIONAL MIND

OPENING ADDRESS AT THE LAKE MOHONK CONFERENCE
ON INTERNATIONAL ARBITRATION, MAY 15, 1912



BY

NICHOLAS MURRAY BUTLER

President of Columbia University, President of the American
Association for International Conciliation

JUNE, 1912, No. 55

American Association for International Conciliation
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New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

THE INTERNATIONAL MIND

OPENING ADDRESS OF NICHOLAS MURRAY BUTLER

As Presiding Officer of the Lake Mohonk Conference on International Arbitration, May 15, 1912

'At the time of our gathering one year ago it was natural and almost inevitable that a note of congratulation and happy augury should be sounded. All the signs both at home and abroad seemed propitious, and those who had labored so long and so earnestly to promote the cause of international justice and international peace could reasonably feel that substantial progress toward the goal of their hopes had been made. To-day we meet in a somewhat different atmosphere. Many of us find ourselves troubled by doubts and harassed by disappointment. Within sixty days after the Conference of 1911 had risen, two of the greatest, most powerful, and most enlightened nations known to history were widely believed to be on the verge of armed conflict about something which nobody was able to understand or to explain. The newspaper press of the world was filled with the most terrifying alarms. Charges and countercharges, suspicions and countersuspicions, were heralded all round the globe and the hearts of the lovers of peace with justice sank within them. All at once modern civilization seemed bankrupt, and the western world suddenly appeared as if approaching a cataclysm. Nevertheless, the oft-predicted contest did not take place. Strong, brave, enlightened men were at the helm of state and they conducted their grave business with so much discretion, with so much tact, and with so much

genuine statesmanship that the threatened danger was averted. Let us sincerely hope that it was averted forever.

It would be a pleasant task to tell in this company, if it were permissible, the detailed story of last summer's fateful work for war, and of what may well prove to have been last summer's epoch-making work for peace.

It is easy to run with the crowd and to follow the example of that French revolutionary who, hearing the noise and the roar of the street, cried out "There go the people; I must follow them, for I am their leader." But to stand with patience and self-control in a post of high responsibility when a strong current of public opinion goes sweeping by, careless of consequences and unrestrained in its expression of feeling, is the mark of a real man. This Conference should hold in everlasting honor the German Emperor and the responsible statesmen of France, Germany and Great Britain, who solved the difficulties and allayed the dangers of the summer of 1911 without permitting the precipitation of a colossal and devastating war. The Nobel Prize might appropriately be awarded to some one of those who then kept the doors of the Temple of Janus shut when mighty pressure was exerted to force them open.

The world is not likely to know until many years have passed and until the chief participants in the international business of last summer are dead and gone, just how grave the crisis was, just how trivial and how sordid were the causes that led to that crisis, and just how bravely and how honorably that crisis was met and averted by responsible statesmen.

The consideration by the Senate of the United States of the projected treaties of general arbitration with Great Britain and with France came to a rather lame and impotent conclusion. The debate, fortunately conducted in open session, revealed that few members of the Senate have any real grasp of our international relations or any genuine appreciation of our international responsibilities. It is fair to say that a very large majority of the Senate approached the consideration of these treaties with entire good will and with favorable mind. They appeared, however, to be so little accustomed to the study of international business and to reflecting upon the relation of treaties like these to the movement of the best opinion throughout the world, that many of them were easily led to give weight to obstacles and difficulties that were either irrelevant or wholly unimportant. As was to be expected, while the treaties were under discussion the boisterous elements of our population, those that love to talk of war and to threaten it as well as to decry peace and to poke fun at it, were heard from under not incompetent leadership.

A yet more unhappy and discouraging event was the breaking out of armed hostilities between Italy and Turkey, two powers signatory to The Hague Conventions of 1899, without any recourse being had to the provisions of those Conventions which would, it may with certainty be said, have made a subsequent resort to arms either impossible or ridiculous.

These events of the past year serve to illustrate once more the real difficulties which confront us,

and to set the problem of obtaining peace through justice in a yet clearer light. We must learn to bring to the consideration of public business in its international aspects what I may call the international mind, and the international mind is still rarely to be found in high places. That the international mind is not inconsistent with sincere and devoted patriotism is clearly shown by the history of the great Liberal statesmen of the nineteenth century who had to deal with the making of Europe as we know it. If Lord Palmerston had the international mind not at all, surely Mr. Gladstone had it in high degree. The late Marquis of Salisbury, whom no one ever accused of lacking devotion to national policies and purposes, had it also, although a Tory of the Tories. Cavour certainly had it, as did Thiers. Lord Morley has it, and so has his colleague Lord Haldane. The late Senator Hoar had it when on a somewhat important occasion he expressed the hope that he should never so act as to place his country's interests above his country's honor. It was the possession of this international mind that gave to the brilliant administrations of Secretary Hay and Secretary Root their distinction and their success. The lack of it has marked other administrations of foreign affairs, both in the United States and in European countries, either with failure or with continuing and strident friction.

What is this international mind, and how are we to seek for it and to gain it as a possession of our own and of our country? The international mind is nothing else than that habit of thinking of foreign relations and business, and that habit of dealing with them, which regard the several nations of the civil-

ized world as friendly and coöperating equals in aiding the progress of civilization, in developing commerce and industry, and in spreading enlightenment and culture throughout the world. It is as inconsistent with the international mind to attempt to steal some other nation's territory as it would be inconsistent with the principles of ordinary morality to attempt to steal some other individual's purse. Magnitude does not justify us in dispensing with morals.

When Secretary Hay said that American diplomacy had but two controlling maxims, the golden rule and the open door, he spoke with an international mind. The policy of swagger, that of swinging sticks either big or little, and that of threatening to double or treble the military armaments and preparations of some other nation, are not compatible with the possession of an international mind. We are still a long way from the millennium, no doubt, and the lion and the lamb are not yet likely to lie down side by side with entire restraint of appetite on the part of the lion or with entire assurance on the part of the lamb. Nevertheless, we might as well be making progress, or trying to make it, and not allow ourselves to sit forever helpless under the blighting domination of the brute instincts of mankind, with all their unscrupulousness, their fierce cruelty and their passionate clamor.

In striving to gain the international mind, it is necessary first of all to learn to measure other peoples and other civilizations than ours from their own point of view and by their own standards rather than by our own. Human knowledge has not yet been able to master and to explain the meaning of the profound dif-

ferences of race or those extraordinary traits which, when grouped together, appear to constitute national character. What we do know is that there is plainly place in the world for numerous races, for many nationalities, and, therefore, for different points of view and for different angles of reflection. The really vital question is whether the time has yet come, and if not what can we do to hasten its coming, when races and nationalities are able to cease preying upon and oppressing one another, and to live together as fellow sharers in a world's civilization? In other words, the vital question is how far the fundamental principles of morality that as individuals we so ardently profess, have really taken hold of us in our corporate capacity. There are still current, and apparently popular, many phrases and political cries which indicate that we have no very profound faith in the dominance of moral principle, and no very clear ethical conviction as to our own national duty. Here in the United States it is the easiest thing possible for some public man or some newspaper to arouse suspicion and ill-feeling against Japan, against Mexico, against England, or against Germany by inventing a few facts and then adequately emphasizing them. In not a few of the unpleasant international discussions of the past few years, the people of the United States have been the chief offenders. We are given to looking with far too much leniency upon a braggadocio and a bravado which ape true courage and genuine patriotism, as well as upon those wearisome platitudes which are a convenient refuge for those who refuse to learn to think.

It is astonishing how even men of the highest in-

telligence and the largest responsibility will be swept off their feet in regard to international matters at some moment of strong national feeling, or on the occasion of some incident which appeals powerfully to the sentiments or to the passions of the people. At the very moment when the nation most needs the guidance of its sober-minded leaders of opinion, that guidance is likely to be found wanting.

Mr. Charles Francis Adams in a paper on the Trent Affair which he read before the Massachusetts Historical Society in November last, has given a very illuminating example of happenings of this kind. In that paper Mr. Adams has made both a valuable addition to our historical knowledge, and also an acute and penetrating study of the psychology of international politics. He points out that probably at no time in the earlier history of the United States had the American people been so completely carried away by feeling, losing for the moment possession of their senses, as during the weeks which immediately followed the seizure of Mason and Slidell. Not only were the people swept off their feet, but men of light and leading, jurists, constitutional lawyers and men of state joined in a violent and passionate cry which time and reflection have shown to be absolutely without justification. The situation in England was quite as serious. John Bright in writing at the time to Charles Sumner on this subject, spoke of the sensation which had been caused in Great Britain by taking the Southern commissioners from an English ship, and added that "the ignorant and passionate and 'Rule Britannia' class are angry and insolent as usual." One who wishes to know how difficult it is to acquire

the international mind and to sustain it in the presence of a great wave of national feeling, has only to read this important paper by Mr. Adams. He will then see how true it is, as Chancellor von Bethmann-Hollweg said to the Reichstag a few days ago, that wars are not planned and brought about in these days by governments, but noisy and fanatical minorities drive nations into wars.

We Americans need the international mind as much as any people ever needed it. We shall never be able to do justice to our better selves or to take our true part in the modern world until we acquire it. We must learn to suppress rather than to exalt those who endeavor, whether through ignorance, selfishness or malice, to stir up among us antagonism to other nations and to other peoples. If we are to take the place which many of us have fondly hoped America would take, at the very forefront of the movement for the establishment of a world peace based upon even-handed justice, we must first learn to rule our tongues and to turn deaf ears to those who, from time to time, endeavor to lead us away from the path of international rectitude and international honor with false cries of a pseudo-patriotism.

Let me offer, from the recent Senate debate on the treaties of general arbitration, an example or two of the notions that must be removed from the minds of important men before we can make much progress with our cause and before we can gain the international mind.

On March 5 last, Senator Heyburn of Idaho, told the Senate this: "There never has been a time in the history of the world when any progress was made

through peaceful agreements. I repeat it, there has been no time in the history of the world when progress toward civilization or a higher condition of mankind was made by a contract or agreement. Every advance step toward what we term civilization to-day has been the result of war. A rule that has been tried out through so great a period of time is entitled to some respect. It ought not to be brushed aside by the novice in political or public affairs. . . . We grow philanthropic, we grow sentimental—I had almost said maudlin—over the brotherhood of man. No nation ever existed fifteen minutes based upon the brotherhood of man; no community ever did."

These are doughty assertions. By the terms of the Constitution of the United States the eminent Senator who spoke them cannot be questioned for them in any other place. Where, however, a question would be unconstitutional, a gesture of wonder and perhaps one even bordering on inquiry may be permissible! Do these strongly expressed opinions really represent with accuracy and truth the teachings of history? One must wonder just a little whether the Senator from Idaho had recently had time to refresh his knowledge of the history of civilization and of European diplomacy. Obviously the possession of what I have called an international mind is quite incompatible with opinions such as these.

Two days later, while participating in the same debate, Senator Hitchcock of Nebraska expressed somewhat peremptorily the conviction that the forces behind the pending treaty of arbitration with Great Britain did not really find their chief interest in arbitration at all, but rather in bringing about an

alliance between Great Britain and the United States. The learned Senator did not stop to indicate how an identical treaty with France and a proposed treaty of similar form with Germany could be reconciled with this notion of an alliance. He was, nevertheless, very determined in regard to the matter, and concluded his speech with the declaration that the purpose of the pending treaties was "to make a false union, a real alliance between the United States and Great Britain." If Senator Hitchcock occupied a less exalted position than that of a Senator of the United States, a private citizen might perhaps be permitted to exclaim, "In the name of the Prophet, Bosh!"

The notion that a treaty, by the terms of which two nations engage to submit any differences which may arise between them to judicial determination, is in some way equivalent to a political alliance, is one of the most curious that now finds lodgment either in the senatorial or in the public mind. Some time ago in speaking of this phase of the matter I offered the suggestion that anyone who could mistake an arbitration treaty for an alliance might be expected to confuse a law suit with a marriage. For this I was suitably rebuked by having it pointed out to me that I did not understand the point of view of those who held this opinion. I was forced to accept the rebuke in humble silence, for I knew that it was true; I certainly do not understand the point of view of those who confound an arbitration treaty with a political alliance. If anybody does understand that point of view I hope that at an appropriate time he will make it clear to the rest of us.

There is a curious and interesting interdependence

between reasonableness and sanity in the conduct of domestic politics on the one hand, and kindly feeling and generous sympathy in our attitude toward foreign relations on the other. A nation that is either intellectually, morally or politically turbulent, is not in any position to assume leadership in the development of international affairs on a peace-loving and orderly basis. The political braggart at home is the political bully abroad. Unfortunately, our contemporary American public life offers illustrations in abundance of the unhappy effects of constantly carrying on political discussion, both on the platform and in the press, with the manners of the prize ring and the language of the lunatic asylum. A large part of the American public has become so accustomed to highly seasoned political food that it is no longer satisfied with a merely nutritious political diet. We Americans must be content to wait until the present unhappy tide of turbulence and bad manners has ebbed before we can venture to lay claim once more to a place of leadership in the development of constructive international policies. Reform of international procedure, like charity, begins at home.

Most of all, we must do our best to lift political discussion, both national and international, up out of the mire of personality and unseemly controversies between individuals and private interests on to the high ground of principle. It is not fashionable just now in some influential quarters to have any fixed principles. There are those who think it becoming to court the favor of the populace by inquiring of them, as did the frightened peasants of Louis XI, "Sire, what are our opinions?" There are others who ap-

pear to emulate the example of Artemus Ward who, when asked what were his principles replied: "I have no principles; I am in the show business."

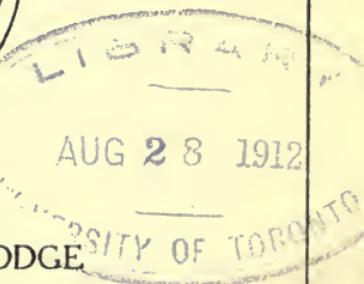
It is in the highest degree important that upon all this sort of thing we should turn our backs. Political progress, whether national or international, must depend upon trust in the better instincts of the people, and cannot rest upon their appetites and their passions, their envies and their animosities. A vast majority of the people of the United States are God-fearing, law-abiding, devoted to liberty and order, and sincerely desirous of promoting the common welfare. Unhappily, political exploiters and promoters with vast quantities of watered political stock to dispose of, are just now keeping up such a din and are so skilfully organizing the adventurous elements of the population that real public opinion, our true national character, and the genuine public will are for the moment quite in the background. At the moment we are being ruled and represented by the noisy and well-organized majorities of minorities, and we are sliding backward in political dignity and political wisdom every hour. When the people as a whole grasp this fact, as they surely will, they will assert themselves with no uncertain voice, and our nation will once more put its feet in the path of progress. The moment that sober reason resumes its rule, our cause will be secure. Human progress cannot be held long in check by selfish endeavor, and both at home and abroad we may look forward with confidence and abundant hope to the coming of the day when justice shall rule, and when a lasting peace, based upon justice, shall set free all man's resources for man's uplifting.

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THE IRRATIONALITY OF WAR

ON SCIENCE AS AN ELEMENT IN THE DEVELOPING OF
INTERNATIONAL GOOD WILL AND UNDERSTANDING



BY
SIR OLIVER JOSEPH LODGE

Principal of Birmingham University

JULY, 1912, No. 56

American Association for International Conciliation
Sub-station 84 (407 West 117th Street)
New York City

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The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

It was with great pleasure that the Association received from the distinguished Principal of Birmingham University an acceptance of its invitation to contribute to its series of pamphlets. Sir Oliver Lodge is one of the most eminent living men of science, having been the recipient of the Rumford Medal and of honorary degrees from Cambridge, Glasgow, St. Andrews, Aberdeen, and Oxford Universities. Most of his work has been in the field of Physics, but he is also interested in the ultimate problems of life, and his published works include not only books on Modern Views of Electricity and the Ether of Space, but upon Life and Matter and The Survival of Man.

THE IRRATIONALITY OF WAR

ON SCIENCE AS AN ELEMENT IN THE DEVELOPING OF INTERNATIONAL GOOD WILL AND UNDERSTANDING

Humanity is a race of workers, and on its output of energy the well being of the planet now largely depends. The work of the human race is directed towards

- (1) Sustenance,
- (2) Advancement;

and on the whole the work is conducted at high pressure and there is little margin to spare. The more energy that has to be expended on mere existence the less is available for progress and development. Consequently it is in moderately fertile countries and peaceful times that the greatest steps in Art and Science have been made. When existence is threatened there is neither time nor opportunity for advance.

Humanity works in sections, and it is possible for these sections to quarrel and to seek to injure or destroy each other; thereby interfering with each other's bare subsistence, and taking attention off higher things. It is notorious that in such disputes much energy can be unprofitably consumed, or, more accurately, degraded; and also that even if there is no active quarrel between two sections, still the possibility of it

entails severe preparation and anxiety and much unprofitable caution and disabling fear. So it used to be at one time between families, then between tribes, and now between nations; yet the sub-division of the Race into nations, with differing facilities and a variety of customs and traditions, ought to have a beneficent influence as well as add greatly to the interest of life. So long as the sections co-operate and mutually help each other, all is well: each benefits by the discoveries and advances of the rest, and a valuable spirit of Emulation is aroused. But when emulation degenerates from wholesome rivalry into a spirit of envy, hatred, malice, and all uncharitableness, so that the sections wage an internecine conflict, then the warring among the members is a calamitous evil, and humanity as a whole is bound to suffer.

SCIENCE A COSMOPOLITAN ENTERPRISE

In some departments of civilised life the risk of unwholesome and mutually destructive contest is more rife than in others. Certain fields of labour there are in which the spirit of rivalry never now degenerates into hostility and mistrust. These are the cosmopolitan enterprises and labours to which every nation can contribute, and in the results of which every nation can share. Of all these cosmopolitan efforts those included under the general head Science are among the chief. Literature is more of a National product, the literature of one nation necessarily appeals less forcibly to another nation; alien language is a bar to

complete enjoyment. But scientific discovery can be made at once interesting, can be assimilated and its fruits reaped by all. Any discovery made by a group or by an individual becomes thereafter the property of humanity, and the world is advanced a step higher. And, short of catastrophe, such a discovery is made for ever: it is not liable to decay like a picture or a statue; it is in the spirit, so to speak, it is not incarnate. Many discoveries are not only world wide but cosmic, and if ever we are able to communicate with another planet they could be appreciated there too. This is especially the case in such subjects as Mathematics, Physics, and Chemistry, and is probably true of a great part of Biology also. These great fundamental sciences are cosmic in their scope and significance. These and all other sciences are at least international. Science tends to weld the nations together; and even though petty jealousies and personal rivalries exist for a time, they seldom survive a generation: they are felt to be unworthy and unseemly, and the successful worker sooner or later meets with a world-wide appreciation.

THE LABOR AND PROBLEMS OF PEACE TIMES

But it needs all the energy, all the spirit, all the encouragement that can be given, to pursue this work; the labour of peace times is indeed strenuous, the problems to be solved demand the keenest intelligence, the most indomitable patience; and they represent a strain on the highest powers of a nation. To produce

a Helmholtz or a Kelvin is a demand on national vigour,—a feeble nation cannot as a rule produce great men. Appreciation also is necessary, and appreciation from other nations is especially welcome and is usually forthcoming; it is a sign and token of civilisation when such is the case; and the fact of appreciation reacts with especial benefit and stimulus on the otherwise solitary worker. For such a man must be in advance of his contemporaries, and yet must not be too hopelessly and utterly beyond the appreciation of them all; the career of a great genius becomes well nigh impossible when the general standard is low. To cultivate science therefore demands high qualities and strong character, it is a task of difficulty; whereas to rush into a quarrel and fight is easy enough. A savage in this art is an adept. No demand is made on selfcontrol, no lofty national spirit is needed in order to fall into a misunderstanding or to feel the pangs of envy and of greed. And yet it is in the encouragement of this facile mood that the greatest national enthusiasm and Patriotism are felt, merely because the condition recurs at intervals, like an appetite; whereas the steady strain of work for the common good excites no enthusiasm, calls forth no encouragement, and but little recognition or praise. Smooth indeed is the path to a quarrel, easy is the descent to war, night and day the gates stand open; but to take up again the works of peace, to climb the steep ascent of Science, that is the burden, that the toil.

ANCIENT AND MODERN WARFARE

Nevertheless it is often claimed that high qualities are demanded by modern warfare; and the claim is well founded. Qualities of mind and body are indeed evoked by it, and the nobler the nature the more can it respond to the demand, when the special call comes. That is what is asserted, and that is surely true; but this is only one aspect of the universal struggle for existence, it is a natural result of all corporate effort towards a common end: such qualities should be called out by every kind of emulation between nations; and would be, if only the pressure were occasional and episodical instead of constant and steady. Use and wont seem to blunt the feelings, and sap the energy, of the average man. But it is not a different set of qualities that are needed in war, it is the same qualities raised to incandescence by the momentary burst of national feeling. For how are high faculties stimulated by war? Not by the mere killing,—the killing is an episode, almost an accident: the actual fighting is a small part of a campaign. The rage to kill may have a survival value, but it is rapidly becoming obsolete: there is no real lust of slaughter in modern warfare, it is regarded as a grim inevitable necessity. Modern fighting is mostly done by machinery,—especially naval fighting. No personal animosity lies behind it; skill and prowess are evoked, but it is engineering skill and the prowess born of peaceful practice and essays of sport.

The effort is akin to those which lead to success in games. One essential element of ancient human warfare is absent from any modern battle; there is no hate, often no vision, of the foe. Triggers are pulled, or guns fired, and unseen distant men drop; and this may continue till a battle is won, but the triumph is due to the inventive skill that has devised the instruments and the organisation that has brought them to the right place at the right time. Modern warfare is a great organisation—a great industrial organisation—it involves transport, complex machinery, supplies of food and clothing, and many another peace necessity. All these arrangements and faculties and powers are called for and trained and developed in times of peace. Wars are not now won, as they used to be, by extermination, but by successful management and organisation; and ultimate victory is largely dependent on the pertinacious power of the purse. It was not so in old times, when men fought face to face and used their muscles to give blows. Then the feelings cultivated by Christianity were in abeyance, then the wounded were slain, non-combatants were rigorously dealt with; then there might be war to extermination. Those were the logical and rational times, so far as war is concerned. Killing was a savage business, and was appropriately conducted in a savage manner. Now the whole outlook has changed, and the rationality of war has departed; we fight by machinery and industrial organisation. Scientific ingenuity devises constantly new apparatus, and skilled

manufacturers execute it. A battleship is a scientific laboratory. Thus Science is applied to an alien use—a use which would have to be stigmatised as unholy were it not that in the present unhappy state of European civilisation these things are essential to defence.

The power to produce ingenious things and use them is excellent; the gratuitous bringing about of catastrophes by their means is diabolic. That is what war does: it brings about, on purpose, disasters which in peace we regard with special abhorrence,—destruction of crops, railway accidents, shipwrecks, explosions, wounds, and violent deaths. The nations are naturally horrified at what they are doing, even while they are still at war; and they send surgeons and nurses to repair the damage done, even to the enemy, as quickly and as painlessly as possible.

OPPORTUNITIES FOR PEACEFUL EMULATION

Then why should we continue our rivalry into this illogical and brutal extremity? The only excuse that can be made is that our ancestors did it. But our ancestors had no other way of competing; practically they only came into contact with foreign nations for the sake of bloodshed and plunder. But engineering progress has made travel and international intercourse easy, and we can go abroad now with more facility than they could then travel across England. Language is still a barrier, and is responsible for many misunderstandings, but in all essentials it is easy now to be

on friendly terms with every civilised nation. We trade together, we study the same problems, and encounter the same natural difficulties. In thousands of ways we can help each other, in one way and one way alone can we do each other serious damage. Exertion is good, and fighting is strenuous exertion, but why not fight now solely by means of organisation and enterprise and scientific skill and ingenuity? Why not show emulation and high spirit in the various industries and arts of peace? Why destroy and ravage the property of humanity? Why should one section seek to destroy another, when all can co-operate together for the common good, and when all are members of a common brotherhood, so that if one is injured all suffer? Why not give to humanity the benefit of the whole combined enterprise and the conjoined cultivated skill; why not discourage the artificially-fostered and quite impersonal hate, and omit the too successful and unmeaning butchery? If the end sought were extermination, war would be intelligible, though in these days of mutual interests and commerce, to kill off your customers is surely unwise. But when the nations are working hand in hand in scientific discovery and invention, as well as in Arts and Crafts of every kind, when they recognise each other's good work with real enthusiasm, and hand each other medals and dine together and feel friendly and rejoice in each other's progress,—then suddenly to reverse this attitude, at the bidding of a few frenzied newspaper-writers, and convert the weapons

which scientific investigation has made possible into engines of desolation and slaughter—that is monstrous and detestable.

THE BROTHERHOOD OF SCIENCE

Fortunately there is hope in the prospect before us; the craftsmen of every land are finding out that their interests are common, they are beginning to realise that it is madness to seek to destroy and ruin each other. The educated people, and especially the men of Science, have long known this. By interchange of periodicals, by frequent international visits, by the action of great Societies, and by making use everywhere of all knowledge wherever it be acquired, they have long practically realised the solidarity of humanity; and, in spite of such political hostilities as are forced upon their notice, their attitude to all co-workers is necessarily and essentially one of fellow-feeling, sympathy, mutual admiration, and brotherhood. No warlike enthusiasm is needed, no alien excitement is called for, to break the monotony of scientific work. In work such as this there is no monotony: excitement and thrill are provided by the prospect of a discovery. There is plenty of room also for effort and strenuous exertion. There are dangers too to be encountered, dangers of disease and accident,—witness the self-sacrifice of many an investigator, whether he be a geographical explorer, or an X-ray worker, or a student of tropical disease. There is very little monotonous toil, though there is much

steady work. An eruption of barbarism would be no relief, it would be a discord, an interruption as painful and perturbing as an earthquake.

It is the deadly monotony of the ordinary life of the multitude that constitutes a civic, a national, danger. It is this that drives people to drink and unworthy relaxation. It is this that makes people welcome the feverish excitement of a catastrophe or of the imminence of war. It is this which is responsible for much of the gambling that goes on. The deadly monotony must be broken, daily life must be made more interesting, work more joyous, human nature must be given a fair chance of equable development. The nation which first realises the magnitude of the opportunity afforded by earth existence, and the responsibility resting upon those who co-operatively waste it in the mere apparatus and material of bodily life, the nation which by social reform liberates the spirit of humanity,—that nation will arouse in its citizens a fervour of patriotism hitherto unknown, and to it will belong, not by military conquest but by divine right, the supremacy of the future and the gratitude of the human race.

OLIVER LODGE.

UNIVERSITY OF BIRMINGHAM

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THE INTEREST OF THE WAGE-EARNER IN THE PRESENT STATUS OF THE PEACE MOVEMENT

AN ADDRESS DELIVERED AT THE LAKE MOHONK
CONFERENCE ON INTERNATIONAL ARBITRATION,
MAY 17, 1912



BY
CHARLES PATRICK NEILL
United States Commissioner of Labor

AUGUST, 1912, No. 57

American Association for International Conciliation
Sub-station 84 (407 West 117th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

Charles Patrick Neill, United States Commissioner of Labor since 1905, was born at Rock Island, Illinois, December 12, 1865. He received the degree of A.B. from Georgetown University in 1891, of Ph.D. from Johns Hopkins in 1897, and the honorary degree of LL.D. from Notre Dame in 1908. He was Assistant Recorder of the Anthracite Strike Commission in 1902, Recorder of the Arbitration Board, Birmingham, in 1903, and was a member of the United States Immigration Commission. He is a member of the executive committee of the International Committee on Social Insurance, of the executive committee of the American Section of the International Association for Labor Legislation, and of the International Statistical Institute.

Commissioner Neill is exceptionally well qualified to write on the relation of Labor to International Arbitration.

THE INTEREST OF THE WAGE-EARNER IN THE PRESENT STATUS OF THE PEACE MOVEMENT

It is, of course, a historical platitude that in every great social movement such as the one for which this Conference stands, there are two equally important periods. The first, usually a long and frequently a more or less discouraging one, must be given over to agitation or education—call it whichever you will—during which the energy of the propagandist has to expend itself either in awakening a dormant or apathetic public sentiment, or what is still harder, in breaking down an adverse sentiment and building up in its place a sympathetic one.

In the second period the task is to crystallize the sentiment thus built up in a vast group of individuals, and through some effective form of organization render it articulate, and give it direction and concrete force.

The movement for international arbitration has emerged from the first of these periods; but is now confronted by the entirely different kind of problem that the second period presents. It is plain that the movement for the arbitration of international disputes has less than half succeeded, in spite of the fact that probably a majority of the citizens of the most important nations have been mentally converted to that principle.

It remains to transform these converts from passive philosophers to aggressive propagandists, who shall see to it that their theory is translated into an institution.

What is now wanted is organized effort that will convert war into a blessed memory and arbitration into a living practice.

FEDERATED FORM OF ORGANIZATION

And the first suggestion I wish to venture to-night is that the most effective form of organization for the realizing of this aim, is not an organization that attempts to enroll in its membership the great mass of individuals who are believers in arbitration, but one that would set out to bring together existing organizations of various kinds into some suitable and efficient form of federation.

LABOR UNION AS ALLY OF PEACE MOVEMENT

In furthering the cause of international arbitration through a federation of existing organizations, as suggested above, the labor movement, both because of its character and of its extent, would furnish one of the strongest elements.

I am not unmindful that to very many people the mere term "labor union" conjures up visions of strikes, along with some of the violent and unfortunate concomitants that too frequently accompany this form of industrial warfare. Of course, those who know of labor organizations mainly through such manifestations see only their more militant aspects; and to them these organizations, naturally, seem planned and conducted primarily for purposes of belligerency, and hardly available material out of which to build up any kind of peace sentiment.

It is unnecessary for the purposes of this paper to go into any discussion here of the nature and functions

of labor unions ; of their importance or their necessity in our existing industrial order ; or of the part they have played and are still playing in the evolution of the civilization of democracy.

To forestall controversy and to pass on to that aspect of the subject that concerns us here to-day, let me concede that labor unions, like other forms of social organizations, whether political, civic, or religious—are necessarily made up of men and women more or less like ourselves ; and that these unions have, therefore, the failings and the faults that are always and everywhere characteristic of us all in our individual and in our collective activities alike.

Let me concede that labor unions—like other kinds of organizations—have left undone things they ought to have done, and have done things they ought not to have done ; and yet, speaking after exceptional opportunity for close observation of them, and from a rather intimate knowledge of their aims and practices—and possibly realizing their weaknesses and their faults as clearly as their most unfriendly critics—I believe firmly that in the labor union is to be found one of the strongest, most intelligent, and most effective allies in the movement for the cause of international peace.

WAGE-EARNERS FORM BULK OF ARMIES

In the first place, any plan to substitute peace for war appeals to the army of manual toilers in a material and a selfish way more directly, perhaps, than it does to those other groups of society more happily situated economically. For it is upon the manual toilers who form the unions that the burdens of war really bear most directly and most heavily. In every armed

struggle between nations it is from their ranks that is drawn a large proportion of the victims who are offered up as a sacrifice to the insatiable God of War; who go down in droves into unnamed graves; who endure all the grimness and the horror of war and reap little of its rewards or its glories.

WAGE-EARNERS PAY DISPROPORTIONATE WAR TAXES

So, too, it is upon the manual workers, the majority of whose incomes are small and barely suffice for the fuller needs of life, that the regular taxes levied to maintain a military equipment in time of peace, and the exceptional taxes levied to meet the drains of war fall most heavily. Not that they necessarily pay the largest share, but because every dollar drawn from the resources of the man with little income represents in reality a heavier burden, is a more real sacrifice, than perhaps ten or twenty times as much taken from the income of one who is better off.

SOCIAL LEGISLATION IN UNITED STATES

Up to the present the demands for social legislation and for the undertaking of schemes of social betterment that involve heavy governmental outlay have been much more common in foreign countries than in our own. This has been partly because so far there has been more imperative need there than here for invoking governmental action to remedy industrial evils; partly because the more centralized governments are better equipped for these functions than our decentralized system; and partly because by temperament and tradition foreign peoples turn more naturally than we do to what we term "paternalism." But this

contrast is less true to-day than it was yesterday; it will be less true to-morrow than it is to-day.

The necessity for social legislation is daily becoming more evident in the United States. Our problems are rapidly reaching a point where governmental activity in a larger degree will become inevitable, and whether for good or for ill, the popular tendency to look to the Government for a remedy for industrial and social maladjustments is rapidly increasing in the United States.

MILITARY EXPENSES PREVENT MUCH SOCIAL LEGISLATION

One argument constantly made in opposition to demands for legislation for the betterment of the condition of working men and women is the great expenditure such legislation frequently involves; and the reiteration of this argument cannot fail to force on the wage-earner the conviction that large public expenditures for the maintenance of armies and navies in time of peace, for interest and for sinking funds necessitated by the indebtedness incurred in war—stand squarely in the way of many sorely needed laws for his social betterment.

WAR ACCENTUATES PROBLEM OF UNEMPLOYMENT

Again, even the return of peace after a protracted war, usually brings with it a certain form of temporary disaster to the wage-earner.

The very bane of existence to the man who works with his hands for a daily wage, the specter that haunts him through all the days of his working life, is the fear of *unemployment*. This “economic insecurity”

of the wage-earner is, in fact, one of the most serious defects of our social system to-day.

When a war ends that has drawn heavily from the ranks of the wage-earners, there is always a period required for industry to readjust itself to a normal basis. In the defeated country, especially, the recovery of industry is slow; and along with this, a large number of troops is suddenly released from military service and added to the ranks of those seeking employment, and the struggle for work then takes on one of its saddest and most tragic aspects.

WAGE-EARNERS' INTEREST IN PEACE NOT ON MATERIAL BASIS [ALONE]

These considerations merely indicate the extent of the burden that the working men and women of a country bear as a result of war and the preparedness for war, and accentuate the extent to which the purely material and selfish interests of the workingman naturally—and properly—incline him to peace rather than to war.

But it is not merely material and selfish considerations that render organizations of toilers sympathetic adherents of the propaganda for international arbitration.

It is upon the manual toilers, upon those who literally eat their bread in the sweat of their face, that the burdens of our modern industrial system and of our largely commercialized civilization bear the heaviest. They realize the inequalities of that system more keenly than those who have fared better economically. They come face to face with the concrete shortcomings of that civilization; they realize in their own daily lives

of poorly requited toil how far that civilization is from its ideals. All this fosters discontent; but it is not necessarily a discontent, pessimistic, hopeless, despairing, sodden. It is a discontent that is hopeful, optimistic, ambitious, militant. It is the discontent that stimulates to struggle, that turns one's mind and thoughts from the mere contemplation of the failures of our system of civilization to its ideals and its unrealized possibilities. And for this reason the seeming paradox is true, that amongst those who are held down closest to the struggle for the mere necessities of life, who enjoy least of the material and the intellectual fruits of our civilization, who live most in its toil, its smoke, and its grime, and least in its leisure and its sunshine—that amongst these one finds most frequently the optimist and the idealist.

It is among my own leisured acquaintances, my intellectual and professional friends, my college and university brethren, that I find most frequently the pessimist, the political sceptic, the social cynic.

For your idealists, for those to whom the dream of the arbitrament of reason in place of the arbitrament of the sword will particularly appeal; whose hearts it will enthuse, and whose efforts toward practical realization it will arouse—you may look confidently to the great rank and file of the regiments of industrial toilers, the hosts of the army of peace and production, who are already marshaled in the organized labor movement.

WAGE-EARNERS' SENSE OF BROTHERHOOD

Suffering a common hardship, like facing a common danger or fighting a common foe, creates the

spirit of comradeship, begets the sense of brotherhood ; and it is this that has begotten in the working classes of the *different nations* a sense of common brotherhood that is probably not found in the same degree in any other social class.

The age-long struggle for the attainment of the ideals of democracy is going on to-day in practically all the countries of the world. In some countries where the fruits of political democracy have already been obtained, the struggle is for more equality of opportunity in the industrial and economic realm ; in other countries the struggle is still for the very beginnings of political democracy ; in still other countries the struggle reflects in turn the whole gamut between these two stages. But everywhere it is the working classes that are most in evidence in this struggle.

SENSE OF BROTHERHOOD "INTERNATIONAL" IN CHARACTER

The similarity of the burdens under which they chafe, irrespective of country, and the identity of the aims and aspirations under the stimulus of which they are carrying on their struggle, has begotten in a marvelously marked degree a spirit of class consciousness amongst manual workers that takes less and less heed of geographical or political boundary lines, and that grows more and more oblivious of differences in nationality, race, and speech.

This consciousness of class was in some degree an inevitable outgrowth of our industrial development, but it has been sedulously fostered and developed for his own purposes by the Socialist propagandist until

it is one of the most remarkable social phenomena of to-day.

SOCIALISM AND CLASS CONSCIOUSNESS

We are, of course, familiar with the extent to which it characterizes Socialism. It is at once the basis and the battle cry of the Socialist propaganda. But this sense of class solidarity—though it reflects itself in a different form of activity, and is not accompanied by the same bitterness and hate toward other social classes—is almost as strong in that part of the labor movement that opposes Socialism, as it is in that part that espouses Socialism. It is what gives rise to the labor movement, and what gives it vitality and endurance. And it is this class consciousness, this sense of brotherhood, begotten of a common burden, that is obliterating political boundaries and diversity of language, of nationality, and of race.

On the basis of sentiment and of idealism, therefore, as well as on material grounds, the abolition of wars between nations and the substitution therefor of the peaceful methods of international arbitration appeals most strongly to the wage-earners of every country.

SOCIALIST AND ANTI-SOCIALIST ALIKE FAVOR PEACE MOVEMENT

The tendency of Socialism toward “internationalism” and its frequently declared opposition to wars between nations are well known; and in this respect the Socialist attitude may be taken as a reflection in a fair degree of the attitude of the majority of wage-earners.

In many European countries the Socialist movement

has so largely won over the working classes that its principles may be taken as a thoroughly representative expression of their beliefs and aims. And even in the United States, in certain respects and within certain limits, it reflects views that are common alike to wage-earners within and without the ranks of Socialism.

There are hundreds of thousands of American workingmen who refuse to follow the errors of Socialism; who are actively opposed to the Socialist propaganda; but who are in hearty sympathy with the Socialist in his sense of solidarity and brotherhood, and who share his feeling of kinship with fellow toilers who happen to bear allegiance to other political sovereignties.

To sum up in a word—the sentiment of the working class, whether reflected in the movement for Socialism or reflected in the more conservative movement of the trade unions, is everywhere sympathetic with the movement represented by this Conference for peace rather than war, for the arbitrament of reason rather than of the sword.

The labor movement extends the length and breadth of the United States. There is hardly a city of consequence where this movement is not organized, and its total numbers reach into millions. Here then is a movement organized and ready to be utilized as an ally for the cause of peace; and which would be a powerful ally in the effort to make articulate the growing feeling for the arbitration of international disputes; a movement peculiarly in harmony with the sentiment that war has no place amongst the institutions of the Christian civilization which we profess to be struggling to build up.

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THE RELATION OF SOCIAL THEORY TO PUBLIC POLICY

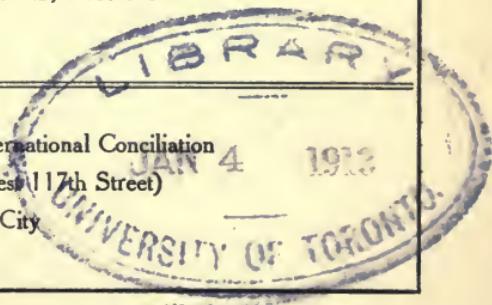


BY
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SEPTEMBER, 1912, No. 58

American Association for International Conciliation
Sub-station 84 (407 West 117th Street)
New York City



The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 14.

Franklin Henry Giddings, LL.D., is Professor of Sociology and the History of Civilization at Columbia University. Through his books on Sociology, which have been translated into many foreign languages, Professor Giddings's name is a familiar one to serious readers all over the world. The present article on war as a social phenomenon is taken from a presidential address before the American Sociological Society, and is reprinted from the publications of that Society.

THE RELATION OF SOCIAL THEORY TO PUBLIC POLICY

The problems of public policy do not become simpler with advancing civilization. To speak for the moment of our own nation, the questions that vex us are of bewildering variety and complexity; questions of territorial expansion and of rule over alien peoples; questions arising out of race conflict within our older continental domain; questions of the restriction of immigration, of the centralization or the distribution of administrative authority, of the concentration or the diffusion of economic power. Well may the skeptic ask if any science of human relations, however wide its generalizations, can offer even presumptive answers to questions so far-reaching and so diverse. Yet every citizen, whether he be instructed or ignorant, is expected to help answer them.

Before we admit that the objection is fatal, let us remember that an overshadowing question has still to be named, and that when one question overshadows all others the relative values of the others are determined. That question is the world-old query—older than science, older than any record of history—the question, “Is it War or Peace?”

After ten thousand years of so-called progress, is reason still so ineffective against instinct that only minor issues can be removed from fields of battle to arenas of intellectual conflict? Must sovereignty—the ultimate social control—forever prove and declare itself in government by slaughter, or may international relations also be brought under government by discussion? By this “previous question” of world-

politics every question of domestic politics is qualified. With war a possibility, the restriction of immigration is one problem; with war made impossible it would become an entirely different problem. A further democratizing of the social order, which might be safe if world-peace were assured, may be fraught with peril if the greater nations are again to challenge one another's right to live. It is not an accident that international socialism is unalterably opposed to militarism under every guise and pretense.

These considerations might be dismissed as academic if it were certain that war must indefinitely continue. Happily that is not the fact. Utopian and wholly ineffective not longer ago than the generation of Fox and Penn, opposition to war has become organized and determined. The antagonism of nearly ten millions of socialistic voters is formidable. The best professional and business intellects of the world are ranging themselves on the side of peace. Funds with which to wage aggressive attack upon eradicable causes of war have been provided.

It is true that public appreciation of Mr. Carnegie's recent gift has been qualified by skepticism. There are sincere and able men who doubt if the cessation of war should be desired. They exalt its disciplinary value, believing that the world yet needs a measure of sacrifice, of daring, of endurance and of superiority to materialistic aims which only war can give. A larger number of men, also sincere and able, reject every defense of war as invalid, but are incredulous when ways and means of disarmament are proposed.

It is precisely upon these two interpellations, namely, the desirability of world-peace and its possibility, that the verdict of sociology may rightly be demanded and should carry weight. And as a sort of preliminary report, the conclusions of Spencer and of Bagehot assuredly deserve a profoundly respectful consideration.

As all students of Spencer know, his most important sociological generalizations pertain to the characteristic differences between what he calls the militant and the industrial types of society. His theory of social causation is stated mainly in terms of war-habit and peace-habit. And, like Mr. Carnegie, who was his loyal friend, Mr. Spencer looked upon war as the most monstrous of social ills, as the most formidable obstacle to the complete evolution of man. Mr. Bagehot, on his part, believed that in government by discussion we have an agency attained through immeasurable effort and suffering for the inhibition of hasty action, for the subordination of brutal passion to a reasonable expediency, for the final settlement of disputes by reason instead of force. Surely, then, we should ask these scouts of inductive social science whether in their opinion the cessation of war at the present stage of social evolution is a thing to be desired, and, if it is, by what policies the consummation may be attained.

Sentiment, doubtless, and the abhorrence of suffering move most of those who are participating in peace efforts now. Mr. Spencer shared these feelings, but he did not rest his case against militarism upon sentiment alone. His faith was in the improbability of man, the final and superlative product of cosmic evolution. He saw that improvement involves adaptation to conditions on which life depends, and ever nicer adjustments of differing interests. He believed that improvement consists in an expanding sympathy of man for man, a continuing differentiation of powers, a better and always better co-ordination of life-activities and therewith an ever-deepening joy of living. It has proceeded through a social process. In this process war has played a great and recurring part. In breaking down the barriers that separated primitive men, in bringing savage camps together into tribes, in hammering tribes together into nations, war was

inevitable and it was useful. Nevertheless, war achieves results through frightful cost and waste. It is incompatible with those more delicate processes of evolution which we associate, or should associate, with high civilization.

Now, of all ways of hastening social evolution, war is the most obvious, the most effective, the most absolutely businesslike. A well-organized and well-drilled army is the best example of standardization that we know. Conquest and a rigorous military rule over conquered foes are the quickest way to integrate and standardize vast populations. The product is a militaristic empire. It is massive and imposing. It brings together the materials from which civilization may be evolved, but it is not itself an example of compound evolution. The notion that war can perfect the internal adaptations of national life, the finer adjustments of sectional, racial, or class interests, has no historical justification. Two concrete illustrations will suffice.

Writing of Bismarck's inflexible purpose to consolidate the German empire, Emile Ollivier, minister to Napoleon III, says:

The cause of the Franco-German conflict was one of those artificial fatalities born of false conceptions and the unwholesome ambitions of statesmen, which time might wear out, transform, and often extinguish. But there existed a man to whom it importred much that this factitious fatality should subsist, and should finally burst forth into war. It was this puissant genius, unwilling to leave to time the glory of accomplishing the task of unification, the triumph of which would have been inevitable, who wished to make short work of evolution and impose upon the present what the future would have freely established, and to keep for himself the glory that his successors might have shared.

And M. Ollivier might have added that the ceaseless activities of a generation of statesmen and writers have not sufficed to complete in the hearts of the German people that unification by divine right which was outwardly and politically established by Bismarck's crass attempt to hasten social evolution.

Can it be said that the attempt of our southern brethren to solve by war, or of the federal government to solve by the essentially militaristic policies of reconstruction, the terrible problem of race interests, were more successful? Can any sane man expect that that problem will ever be solved in any other way than through the infinitely slow process of a social evolution so complex as to baffle analysis?

This, then, is the evolutionist's case against war. It can hasten social integration, but in the measure that it succeeds, it prevents or postpones those finer and endlessly varied adaptations which require freedom and time, and upon which completeness of life depends. War has rudely assembled the factors of civilization, but the possible recurrence of war menaces civilization from this time forth.

Can war then be outlawed and generally prevented? These terms are used advisedly, because no wrong has ever been completely abolished by penalizing it, or by adopting resolutions to discountenance it. We do not, however, on that account think it useless to penalize or to resolve.

I suppose that there is substantial agreement among economists and historians that the prevailing causes of war have been hunger and greed. Primitive men, made desperate by impending famine, have pushed into productive regions already occupied, there to contend for a share of nature's bounty. Modern men do as savage and barbarian did, but in ways so devious that the actual process is rarely seen or understood. Whole peoples or nations no longer move *en masse*, but, like the ancient Aryans at springtime, of whom Festus, describing the *ver sacrum*, tells us, they mitigate the bitter economic struggle by sending forth their youth and maidens into distant parts. Nations that live, grow. They must work more intensely, keying up the strings of life to higher pitch, or they must expand. Either way, the struggle for existence within

nations becomes a struggle for advantage among nations. Emigrants from one may not be welcomed as immigrants by another. Colonization is an intrusion of the strong upon the weak. An acceleration of domestic industry is correlated with an expansion of foreign trade. With colonies and profit by trade, greed enters, adding its insatiable demands to those of primal human needs.

These conditions create tension and provoke contention. They do not, however, inevitably produce war. The sociologist may go far with economist and historian in recognizing economic causes in history, but he may not lose sight of other factors, which it is peculiarly the province of his own science to analyze and evaluate.

These factors are psychological, and without their co-operation war does not begin. The passions of men must be consolidated. Consuming hatred or fierce exaltation must merge individual wills in the collective fury of the psychologic crowd. Even then war does not follow if the fury merely bursts. An explosion may make hell writ small, and war is hell writ large, but there resemblance ends. An explosion in the open does no work, and war is systematic work. To make war, the public fury must so far be controlled that it can discharge itself only through the mechanism of a military organization, in a series of regulated explosions, directed upon a definite object until its infernal task is done.

Our habits are acquired, we say, by doing things or thinking things many times over. That is true, but it is not all. The repetitions that make up habit are imitations; they are copies of models or examples. Many of our elemental and most useful habits are imitations of parents; but plainly, if we imitated parents only, there would be no national traits, and, in the strict sense of the word, no nations. There would be only some millions of families, each abiding by its

own mental and moral law. National habits, and therefore national traits and character, are copies of those relatively conspicuous models that are widely imitated, irrespective of kinship; imitated locally at first, perhaps, but at length throughout a population.

If so much be granted, a further and profoundly significant truth is granted by implication. Conspicuous or dynamic men, who become models to thousands or millions of their fellows, are true social causes, and centers of social control. As they think, the multitude thinks; as they do, the multitude does, and for the most part unconsciously, every man believing that he thinks or acts spontaneously, and because it is his nature to think or to act so, and not otherwise.

Is not the conclusion obvious? Men in positions of authority, whether, as they believe, by divine right, or, as others think, by human choice, are necessarily conspicuous. Often they are men of power, and whether they would have it so or not, their decisions become to some extent the popular decision, and their voice becomes in part the people's voice. Without dictation or argument, and solely because their choice is spontaneously copied and their course of action is uncritically followed by multitudes that swear the choice was theirs, these men control, and controlling direct, the public complaisance and the public wrath. In the final throwing of the dice of fate, they are causes of peace and war

One rule of policy then, it would seem, may fairly be derived from sociological theory for the discouragement of war. It is right and expedient to teach that exceptional men, and especially all emperors and presidents and ministers of state, are not puppets of the *Zeitgeist*, but, in a scientific sense of the word, are true social causes, and, as such, are morally responsible for the maintenance of peace.

Beyond policies to restrain the makers of war, are there policies which might render the making of war more difficult?

In the past mere inaccessibility of territory has assured the relatively peaceful development of many peoples, among whom some have made priceless contributions to civilization. There are no inaccessible nations now. Political integration has continually widened the areas within which domestic peace prevails, and the work is so far done that no important lands or peoples remain to be appropriated. Further integration will be redistributive only. There remains the balance of power, as the one important objective condition upon which the maintenance of peace will largely depend.

I am using the term in a general or descriptive, not a technical or diplomatic, sense. I mean by it political forces in approximate equilibrium throughout the world. In this sense the balance of power is a sociological phenomenon of peculiar interest, for two reasons.

First, it is interesting because of its nature or composition. It is a distribution of forces roughly in accordance with what the mathematician calls "chance occurrence." If as many as a thousand shots are fired at a target, those that miss the bull's-eye are distributed about it with curious regularity. In like manner a balance of power is a symmetrical distribution of forces about a central point. An international balance of power exists when, with reference to any interest or question upon which states may differ, as many strong powers range themselves on one side as on the other, and the weak ones are symmetrically distributed with reference to the strong ones.

Does this bit of exposition seem too elementary or too academic to bring into a discussion of world-peace? Let me then ask if a corollary from the principle stated may be taken for granted? The

probability of a symmetrical distribution of shots or of forces about a central point increases with their number. Fifty shots about a bull's-eye would not be so regularly distributed as a thousand. A million shots would make a nearly circular pattern. If, then, an international Court of Arbitral Justice should be established at The Hague, or elsewhere, would the chances that the political forces represented there would remain in approximate balance be increased, if, meanwhile, a number of the now independent small states of Europe and the East should be absorbed in one or more of the great imperial systems? Or need we fear that the chances of equilibrium would be diminished if one or two of the more heterogeneous imperial systems should some day be resolved into independent states, each relatively homogenous and individual?

The balance of power is of interest, secondly, because it is correlated with government by discussion. Bagehot's chapter on this subject deals chiefly with the nature of such government and its consequences. Like compound evolution, government by discussion is a slow, irregular, and unbusiness-like procedure; and therein lies its value. It inhibits ill-considered action. It gives passion time to cool, it makes for moderation and for poise. Bagehot does, however, ask how government by discussion arises. His answer is, on the whole, the least satisfactory part of his book, but it is essentially correct. Government by discussion arose, says Bagehot, in those nations that had a polity, that is to say, a constitution. Greeks and Germans had what Aristotle calls the mixed government. King, aristocracy, and freemen participated in it. Here, then, were distinct political forces in balance, and because they were in balance they had to talk before they could act.

Our modern account of reason and its relations to instinct enables us to generalize Mr. Bagehot's guess

and to verify it. Government by discussion depends upon a balance of power and necessarily proceeds from it. It is a social expansion of the reasoning processes of the individual mind.

Reasoning begins when instinct fails or is inhibited. So long as we can confidently act, we do not argue, but when we face conditions abounding in uncertainty or when we are confronted by alternative possibilities, we first hesitate, then feel our way, then guess, and at length venture to reason. Reasoning, accordingly, is that action of the mind to which we resort when the possibilities before us and about us are distributed substantially according to the law of chance occurrence, or, as the mathematician would say, in accordance with "the normal curve" of random frequency. The moment the curve is obviously skewed, we decide. If it is obviously skewed from the beginning, by bias, or interest, by prejudice, authority, or coercion, our reasoning is futile or imperfect. So, in the state, if any interest or coalition of interests is dominant and can act promptly, it rules by absolutist methods. Whether it is benevolent or cruel, it wastes neither time nor resources upon government by discussion. But if interests are innumerable, and so distributed as to offset one another, and if no great bias or over-weighting anywhere appears, government by discussion inevitably arises. The interests can get together only if they talk. So, too, in international relations. If in coming years these shall be adjusted by reason instead of by force, by arbitration instead of by war, it will be because a true balance of power has been attained. If any one power or coalition of powers shall be able to dictate, it will also rule, and the appeal to reason will be vain.

By what policies can an equilibrium of international power be established? I shall only name those that the foregoing considerations suggest, and not attempt to describe or to analyze them. They must of course

be policies that will tend both to differentiate interests and to disintegrate coalitions of power that create an overwhelming preponderance of strength. The great superiorities that now preclude effective government by discussion throughout the world are, (1) technical proficiency based on scientific knowledge, and (2) concentrated economic power. If we sincerely wish for peace, we must be willing to see a vast equalizing of industrial efficiency between the East and the West. We must also welcome every change that tends to bring about a fairer apportionment of natural resources among nations and within them, and a more equal distribution of wealth. If these conditions can be met, there will be a Parliament of Man. If they cannot be met, a nominal government by discussion will be but a tournament of words.

LIST OF PUBLICATIONS

Nos. 1-52 inclusive (April, 1907-March, 1912). Including papers by Baron d'Estournelles de Constant, George Trumbull Ladd, Elihu Root, Barrett Wendell, Charles E. Jefferson, Seth Low, William James, Andrew Carnegie, Philander C. Knox, Pope Pius X, Heinrich Lammasch, and others. A list of titles and authors will be sent on application.

Special Bulletin: Great Britain and Germany; A Study in National Characteristics, by Lord Haldane. March, 1912.

53. The Mirage of the Map, by Norman Angell. April, 1912.

54. Philosophy of the Third American Peace Congress, by Theodore Marburg. May, 1912.

Special Bulletin: War Practically Preventable, and Arguments for Universal Peace, by Rev. Michael Clune. June, 1912.

55. The International Mind. Opening Address at the Lake Mohonk Conference on International Arbitration, by Nicholas Murray Butler. June, 1912.

56. The Irrationality of War. On Science as an Element in the Developing of International Good Will and Understanding, by Sir Oliver Lodge. July, 1912.

57. The Interest of the Wage-earner in the Present Status of the Peace Movement; Address Delivered at the Lake Mohonk Conference on International Arbitration, by Charles' Patrick Neill. August, 1912.

58. The Relation of Social Theory to Public Policy, by Franklin H. Giddings. September, 1912.

Up to the limit of the editions printed, any one of the above will be sent postpaid upon receipt of a request addressed to the Secretary of the American Association for International Conciliation, Postoffice Sub-station 84, New York, N. Y.

A small edition of a monthly bibliography of articles having to do with international matters is also published and distributed to libraries, magazines and newspapers.

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THE DOUBLE STANDARD IN REGARD TO FIGHTING



BY

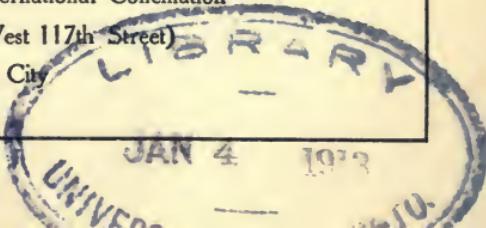
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OCTOBER, 1912, No. 59

American Association for International Conciliation

Sub-station 84 (407 West 117th Street)
New York City



The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

George M. Stratton was born in Oakland, California, on September 26, 1865. He studied at the University of California and at Yale University, and in 1896 received the degree of Ph.D. at Leipzig. At one time Professor of Experimental Psychology at Johns Hopkins University; since 1908 he has been Professor of Psychology at the University of California. He is the author of "Experimental Psychology and Its Bearing upon Culture," "Psychology of the Religious Life," and of numerous contributions to psychological and other journals.

THE DOUBLE STANDARD IN REGARD TO FIGHTING

It is a puzzling fact that international conduct is so often judged by far lower standards than are the acts of individuals. We have here a strange doubling of the criterion of honor, analogous to that double standard of truth, which was defended in mediæval schools. Violence, lying, and bribery, that occur only among individuals without the pale, are found among the established means of intercourse with honored nations. Men who would not think of assaulting another to gain an end—who would indeed suffer great loss, and be proud to suffer it, rather than obtain their rights by such a method—feel that a nation should be ever ready to assert its claims by blows. A peace that would be the height of honor with an individual is, when presented in national form, at once proclaimed shameful and unrighteous.

HOW NEIGHBORS AVOID A QUARREL

And this double standard affects not simply the decision as to the propriety of assault, but as to the best means of avoiding conflict. With nations, we are

constantly assured, the way to keep peace is to be so conspicuously armed that nobody will dare attack you. The prescription here is to appeal directly to fear; to terrorize your neighbors into respect and quiet. In private life if a man aims to avoid conflict, he shows some confidence in others' good intentions. He does not shake his fist in the face of each passer-by and proclaim his passionate desire to be let alone. It would seem laughable to attempt to build deep and lasting amity between your own home and that of your neighbor across the way by having at each of your windows a loaded gun trained on his front door. Nor would the effect of these be offset by frequent assurances of devotion and by the expressed hope that the ammunition would never have to be fired. We do not act in this way; and yet have we ever stopped to consider the lack of protection to our private honor and person? Smith may arrive at any moment and, finger on trigger, compel us to surrender our spoons. Jones, having some baseless grievance, may put upon us the lasting disgrace of pulling our defenceless nose. We who are unprepared to murder, cannot know when we will have to submit to some dishonorable peace. Without a revolver in one's hip-pocket a person has absolutely no means to keep unrighteousness from deserting the earth. All these things, *mutatis mutandis*, are said of international society, and without a smile.

NATIONS AS NEIGHBORS

It is thus evident that the mind behaves in a very different fashion with regard to personal conflicts and with regard to national. Two nations go about the task of living next door to each other in a way entirely different from that which any two citizens, one from each of these countries, would follow. Imagine an American and a Japanese, imagine an Englishman and a German, espying each other in Van Dieman's Land or in the heart of Africa, beyond the fear of police or any other power of state; as soon as they recognized the civilized dress, would they skurry each to a rifle pit? They would greet each other as friends, and be glad to pitch their unguarded tents near by. This difference of behavior may baffle us, but we must at least attempt to look into so astonishing a fact.

It seems at the moment as though Emerson were right, at least with regard to large masses, in saying that men always come down to meet. The collective impulse, the collective sense of responsibility, seems to be no higher than what the lowest, or at most the average, can participate in. Yet this is by no means always true. The collective consciousness, under some unaccustomed strain like that of the wide-spread movement against slavery, can measure well up to that of the individual. In giving quick relief in distress

of fire and earthquake, as in San Francisco, or at Messina, the nation feels and acts generously, like an individual. There are situations, then, when corporate impulse is high; there are others when it is selfish and quarrelsome.

WHY THE CITIZEN GOES UNARMED

But when the selfish, the antipathetic, mood is on, there is the greater readiness in nations to pass from irritation to assault because the quiet restraint, the external yet immaterial pressure which individuals feel, though present also with nations, is far weaker. You or I if threatened with gross wrong, have about us a company of friends and neighbors with a ready sympathy for us, a ready condemnation of the wrong-doer. And in their unselfish opinion there is a subtle coercive strength which only the abnormal can resist. Moreover there is for individuals a definite and visible organization for protecting rights. You and I become less ready to fight because of the stable sense that powers are on call to do our fighting for us. Civilized society is organized in specialties, and our fighting—like our farming, our news-selling, our blacksmithing—we delegate to those who are, in a sense, licensed so to do.

Our courts and police and soldiery, organized to work impartially for the common good, are there as a visible power to which you and I can appeal, and their

very presence helps to quiet the fighting impulse in us. The just man threatened need not always appeal to the judge or the police or the soldiery; the man of hostile purpose does not have to see these nor even imagine them, in order to feel their force deep in his very mind and muscles. They have, with most of us, produced habits of thought and conduct that would go on of themselves even were we to be alone with a stranger on a desert isle.

THE GENTLEMAN HAS GROWN FROM THE SWASHBUCKLER

Thus it is true that the assumption of the quarreling function by the state is one of the causes why private citizens, unlike nations, can go unarmed. But it is not the whole truth. It is also true that the very organization of such a public power was due to a growing distaste of individual brawls. Persons preferred to devote their time and talent to other ends. In the olden time every gentleman must be a fighter, must carry a sword as the tool and symbol of his temper. But for special or disagreeable work he could go forth privately and engage his fighter—his private soldiery, his bravos, his assassins—as he would engage a tailor or a locksmith. But it became apparent that in all this the interest of the plain man suffered. Men left free to institute a mortal fight whenever they believed that some right had been invaded, in general

did ten wrongs for every right defended. The swashbuckler therefore yielded to the court and the police. The fighting industry has thus been made a state monopoly. The courts and police are not the sole reason why private fighting is no longer legitimate; courts and police are there because men wished to stop private fighting. The citizens have trained themselves for other work and insist on being freed from the necessity of private warfare. And while each of us runs the risk of occasional assault from some one who does not accept this great idea, yet we positively refuse to plan our lives for these exceptional emergencies. We may need a pistol some day even on our village street, but we refuse to carry it.

THE LOWER NATIONAL STANDARDS

International life is still in the swashbuckler stage. Each people is belted and booted and spurred, with loud shoutings that this alone is the way to peace. This retarded development of international life, is in part perhaps because finer organization comes more readily with small bodies than with great. The sympathy and understanding upon which such organization must in the end rest comes first in the immediate family, then in the clan, then widens to a nation, and only late can it include people who speak different languages and have different color of skin. Yet the Swiss are three peoples speaking three different lan-

guages. And that great federation of nations called the British Empire, far larger than was held together by Roman arms, is based mainly on sympathy and understanding. With all its warlike bearing toward the outside world it is a great instrument of peace among its own constituent states. The obstacles to an outbreak of war between any two of them are almost heaven-high. So, too, the union of so many of the American colonies, and the failure to dissolve that union even by the terrific tension of fifty years ago, is one of the world-contributions to the cause of peace.

THE NOBLER STRAIN IN NATIONAL FIGHTING

But the persistence of public fighting where the modern gentleman would not fight is not alone because it is difficult to maintain wide sympathy beyond the limits of language or of race. It is also because public fighting has a certain spiritual impressiveness, even a form of great morality. For in spite of its infinite horror, there is in the combat of nations something nobler than is usual in private bloodshed. The unselfishness, the welding of spirits in battle, makes it seem less revolting. For rarely do men go to war to-day for private gain. The dollars and cents which are a soldier's hire would never for a moment weigh in cold calculation against the money loss, the pitiless fatigue, the imminent disease, the risk of death. Over all is the inspiration of a public interest. For the

time, he throws his hope and fortune into the common treasury. He is an idealist; he is devoted to a wider cause. Yet more often his is idealism astray, beautiful inasmuch as all devotion, all self-forgetfulness, has beauty; but hideous, also, since a fine spirit has gone into devil's work. It has the form of morality, without the substance. It is like the loyalty of a servant in the work of a master who contrives a great wrong.

WILL THE NATIONAL STANDARDS CHANGE?

National fighting is still a part of the accepted order, held in a certain honor, carefully provided for by all the leading peoples; yet personal brawls have come to be regarded as lapses from the approved course, and unbefitting a gentleman. Is this difference of feeling and of judgment destined to pass away?

The history of mental progress gives an absolute assurance that this difference will pass away. Men who argue and labor in defence of the bravado-standard of international dealing are supporters of an essentially lost cause. They are like those who some generations ago would have declared it quixotic to imagine that individuals could ever entrust their personal safety permanently to the peaceable intentions of others. National life will surely in this respect come to be judged by standards at least as high as those by which personal conduct is measured.

WHAT WILL PRODUCE THE CHANGE

For the same motives which have dispelled the combative ideal from all but the lowest individuals will also prevail over the minds of nations. As the joy of mere fighting could not, in the mass of men, compete with the more substantial satisfaction of success in artizanship, agriculture, medicine, architecture, and trade, and the man who was eager for rewards of this type consented to forego the respect which comes of being a dangerous shot or swordsman, ready for the instant's quarrel; so the state will increasingly feel the attractive ends from which it is excluded by the effort at constant readiness for war. Every fresh opportunity for truly fruitful action by government tends to produce coolness toward the warrior-ideal. Men become jealous of the enormous expense for military purposes when once they clearly see the definite benefits they lose because the needed money goes to purposes of war.¹

We judge men by the ratio of their accomplishments to their opportunities. And so it must be with nations. As we gradually learn that the will and intelligence of the nation can do even more eminently

¹ Attention cannot be drawn too often to the fact that—leaving out of account the Postal Service, where income and expense nearly balance—the ordinary disbursements of the United States government for purposes connected with war are about twice as great as for all other purposes combined.

than any single individual the work of fighting disease and ignorance and vice; that indeed only the united people can to-day insure free communication and just commerce; that the growth and application of science increases vastly by public support; when there are all these opportunities for national effort, men will not be content to approve a government whose main effort is merely to be prepared for attack from without. Swagger and sword-clanking and parade of "honor" will no longer satisfy the newer measure of worth; they no longer seem the prime use of so high and effective an instrument as the national power.

CAUSES OF HOPE AND OF HESITATION

The higher standards are not something merely of the future. They have already brought it to pass that a permanent and impartial tribunal is available in all cases of international dispute. And their work will go on, I believe, until there is also available an impartial military force to protect the single nation from aggression. Until then, the state will rightly hesitate to imitate in all fullness the entirely defenceless bearing of the gentleman. For he, as I have said, has been made confident and secure by long experience of an independent power interested to enforce his rights. And this, which is wanting to our present nations, gives each a certain excuse for its great armament, and for declaring the personal standard of conduct inapplicable.

ble to the nation's life. But the deep desires of humanity are indomitable, and the longing for international law-and-order, daily becoming more intense, will force aside this last obstacle to the full recognition of the higher standard.

THE NEWER STANDARDS NEED NOT AWAIT UNIVERSAL PEACE

Yet a confusion should be avoided. The change to the higher standard in regard to fighting does not itself have to be postponed to a time when wars shall cease. In private life the standards of judgment by which theft and murder are condemned are not counted visionary because theft and murder persistently occur. To admit that wars will sometimes come in spite of all that can be done does not make invalid the higher canons of national conduct. And these higher criteria will, in the end, transform the facts into fuller accord with themselves. They will exercise an unfailing pressure, resistible, it is true, but by their very persistence changing the entire aspect of international life.

WHAT MAKES A HIGHER STANDARD APPLY

Thus we may meet the old assertion that the laws of private honor do not apply to national affairs. They apply whenever men care to apply them. In this respect they are in contrast with natural laws.

The law of gravitation does not wait for us ; it stands on duty day and night. So do moral laws ; yet in a measure they are only then real and effective when human wills accept them. And whenever nations desire peace with that passion long-enduring and provident, with which they now desire trade and territory and wide sway, the higher law will apply because the nations will then judge themselves by it. The disturbers of international peace will then appear like ruffians on a city's street.

INTERNATIONAL CONCILIATION

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AS TO TWO BATTLESHIPS



Contributions to the Debate Upon the Naval Appropriation Bill
by

Hon. FINLY H. GRAY, Representative from Indiana
Hon. JAMES R. MANN, Representative from Illinois
Hon. WILLIAM KENT, Representative from California

NOVEMBER, 1912, No. 60

American Association for International Conciliation
Sub-station 84 (407 West 117th Street)
New York City

The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

HON. FINLY H. GRAY, OF INDIANA

(August 17, 1912)

I am opposed to an appropriation for two battleships. I am opposed to an appropriation for one battleship. I am opposed to any appropriation for battleships. If we are to take our place among the nations of the world as first standing for peace and against war, then we should declare our position by an appropriation for peace and not for battleships. [Applause.] But if we must appropriate for one battleship to appease the insatiable demands of the militarism of to-day, let us save at least the principle of the cause of meditation and appropriate as much to promote peace as we appropriate to build battleships. [Applause.]

But this appropriation for warships will not make us stronger to cope with the nations of the world. It will only prompt like appropriations by other nations. If we increase our navy to-day, England will increase her warships to-morrow, and then in turn France will excel England and Germany will outrival France. And then we must build again to keep pace with this mad rivalry in arms and armament. [Applause.] The grounds which are urged to-day to increase our navy, can and will be urged again and again. Must this drain upon the nations still go on to exhaust all human resources and prostrate the civilization of the world? [Applause.]

This appropriation will not only burden the people of our own land, but it will be caught up in the spirit of war and military rivalry by all nations to be multiplied and weighed upon all the people of the world. It will wrest food from the hungry, clothing from the half-clad and the naked, fuel from the cold and the

shivering, and shelter from the homeless and unhoused.

These warships, if built, will fill the world with blood, anguish, and devastation if they are used, and their cost will bring want and destitution to the human race, whether they are used or not used.

But they tell us our commercial interests are demanding an increased navy. I answer that this comes from a commercialism built upon trade in warships, warship supplies, and the instruments of human slaughter—a commercialism which seeks to open markets by force and to hold them by intimidation; a commercialism which would exchange both human blood and public treasure for private profit; a commercialism which is to-day calling upon this nation to enforce conscienceless agreements made in the course of foreign investments and insisting upon war and bloodshed for sordid gain; a commercialism which would coin human life-blood, and quivering flesh into stocks and bonds and hoarded money; a commercialism which would prostrate all the charities of the world to gain an advantage in trade or to secure an increase in markets.

I am opposed to the domination of such a commercialism in the affairs of this nation. I am opposed to the policy of peace by intimidation. I am opposed to this nation entering upon a rival contest with the powers of the world in the vain and inglorious effort to excel in the instruments of war and human slaughter. I am opposed to draining the resources of this great nation and dwarfing our institutions of charity and peace to bind upon our civilization the burdens of a barbarous age. I am opposed to this declaration by our government, in disregard of mediation and the great peace movement of the world, that we are still relying upon force as the arbiter of justice and holding to the standard that might makes right.

The strength of this nation to maintain domestic peace and to preserve order within does not rest with a standing army, but it rests with the patriotism of our people, with their devotion to our institutions, and with our guaranty of human rights and the equality of all

men before the law. We can so ignore and disregard the principles of equality, justice, and right that all the armies we could train could not suppress revolt. Or we can so deal with our people and so assure them of equal and exact justice, of life, liberty, and the pursuit of happiness, that peace and order can be maintained without a single soldier.

And our security abroad and our prestige among the nations of the world does not depend on warships nor upon naval display or intimidation, but upon a policy of equity and justice toward all nations—the small as well as the great, the weak as well as the strong, the defenseless as well as the powerful, the ignorant and beclouded as well as the civilized and enlightened. We can pursue such an unjust policy toward other nations, so alienating their support and engendering hostility, that all the warships we could build would not protect our shores from invasion. Or we can pursue such a just and equitable course toward our sister nations, so binding to us friends and allies, that all the navies which could be sent against us could not prevail over our own and our allied forces.

The mission of this nation is not that of conquest, but to promote liberty and the self-government of man. To-day only a policy of subjugation and the holding of dependencies abroad calls for an excessive navy. The principles of free institutions not only forbids this policy, but self-government can be better taught by example than by force and intimidation. We cannot teach freedom by involuntary rule. We cannot teach liberty by a restriction of human rights, which we claim as inviolate to enjoy ourselves. We cannot teach self-government while denying the principle of the "consent of the governed." Let us be faithful to our mission and renounce the policy of war and conquest, and in its stead hold up our beacon light as an example and a guidance for the world to follow.

The annual expenditures of the United States for the army and navy is, in round numbers, \$300,000,000. To comprehend the magnitude of this vast sum and the appalling waste and loss to the people which it

represents, it is only necessary to consider some of the services it would give if diverted from the channels of militarism and employed in the arts of peace and civil life.

If available for education, it would give \$10,000,000 to establish and maintain a great national university three times as great as our largest university.

It would give \$48,000,000 to establish a new university in each State supported annually by a million dollars each.

It would give \$96,000,000 to establish 100 new public high schools for each of the States supported annually by \$20,000 each.

It would give \$24,000,000 to establish five new normal schools for each of the States supported annually by \$100,000 each.

It would give \$24,000,000 to establish five new technological schools for each of the States supported annually by \$100,000 each.

It would give \$21,000,000 to establish 30 new agricultural schools for each of the States supported annually by \$15,000 each.

It would give \$48,000,000 to the common-school fund, or \$1,000,000 annually to the school fund of each of the States.

It would give \$10,000,000 with which to purchase textbooks for all pupils in all schools, public and private, in all the States of the Union.

And it would give a quarter of a million dollars to each of the States annually for public libraries.

The annual cost to maintain the military of the world is more than \$2,250,000,000, a sum which bewilders the human mind and defies comprehension. And the waste in war in property alone is incalculable, while the value of the human life sacrificed is without attempt at measure.

The awful waste and expenditure of war would feed the hungry, clothe the naked, shelter the homeless, and educate and civilize the barbarous and beclouded nations of all the world.

We are appalled at the recitals of history, recount-

ing the horrors of ancient wars, the long catalogue of barbarous atrocities, the battlefields running red with blood, the wounded, the mangled, and the slain; the cries, the wails, and the moans of the dying, hushed by the tread of sweeping cavalry pressing hard upon the vanquished in retreat; the slaughter of the captured, and the anguish in the homes of the thousands dead—yet all this will be mild tempered and merciful as compared with the future, if wars shall now continue among the nations of the earth. With aeroplanes from altitudes of miles dropping bombs and explosives into cities, armies, and fleets; with concealed mines exploded by electricity; with ponderous guns of modern construction hurling death from distant fleets and entrenchments, and with instruments of death and destruction in course of invention and yet to be perfected and brought into action in the future—a declaration of war between formidable nations would drench the earth in blood, and make the land and sea a crowded sepulchre of the dead. The first engagement would sweep the earth with a shower of steel and a billow of fire, leaving in the wake of destruction not a vestige of a living thing that breathes.

It is time to pause to consider the multiplied horrors of modern warfare. It is time to call a halt to the training of armies and the building of navies. It is time for mediation and a great peace movement of the world. And I want the Stars and Stripes to lead the way for the dove of peace around the earth, declaring to all the nations the diplomacy of good will and arbitration.

HON. JAMES R. MANN, OF ILLINOIS

(August 20, 1912)

Mr. Speaker, we have been entertained in a small degree, but not to the limit that I had hoped, this morning by the Democratic side of the House upon the battleship proposition, and although I heard one gentleman use the term "false" nearly forty times in the course of a speech, he received no rise from it. For an entire session of Congress we have been told repeatedly that the Democratic Members of the House would permit no new battleships to be provided for, and the distinguished gentleman from New York [Mr. SULZER] fulminated for a while in the press every day with a long interview credited to him, telling how we were going to skin the Democratic side and rise superior to partisanship and provide the two battleships. And other gentlemen on the Democratic side were insisting that if we had no public buildings then we should have no battleships; that if we should use money for battleships, we must use money for public buildings. Then also we were told that in the end they might agree to one new battleship, which would be more powerful and destructive than any ship yet proposed in the world. But when we come to brass tacks we provide for one new battleship of the same old type at the same old cost. Those who insisted that they would never yield short of two battleships, those who insisted that they would never yield to any battleship, those who insisted that if they had any battleship it should be more powerful than any yet constructed, all smilingly take their medicine, and the public-building bill remains to be divided up at the next session after the election.

But I notice that while we do not get two new battleships, yet the lobby which has been around Congress

for many years in reference to the submarine torpedo boats will not go away disappointed this year. The House provided for four submarine torpedo boats, to cost \$2,240,000. The Senate doubled the amount and made it eight, to cost \$4,480,000 ; and without a word of discussion in the House, without the expression of a syllable of language, the torpedo submarine lobby gets away with the eight torpedo boats, much to my surprise. Many times these propositions have come to us before, but I think this is the first time that the House has agreed to the highest number of these submarines asked for. And they are to be located, four at the mouth of the Mississippi River, four for the Pacific coast, not because they are needed at those points, but because having them at those points will add to the influence of the submarine lobby next year and in years hereafter.

HON. WILLIAM KENT, OF CALIFORNIA

(August 19, 1912)

Mr. SPEAKER: A battleship, as its name would imply, is an instrument to extend man's efficiency as a fighting animal, just as are brass knuckles.

Now, people fight from various causes, one of which is because they like to fight. This primordial instinct has been largely eliminated from the surface of our civilization. Our reason revolts against it; and in this respect, at least, mankind can show an advance.

Another reason for fighting is that of self-defense; but this self-defense implies that somewhere there are able-bodied persons who, without justification, would infringe on the rights of others, and this by violent methods. The law has stepped in and, through organized society, has endeavored to prevent this cause of physical contention.

Other reasons for fighting are found in cowardice which invites attack, and, again, in that sort of intoxication that finds expression in braggart boasting and in the petty nagging that goes with lack of human kindness.

And, finally, in that species of falsehood that fails to recognize the sanctity of a promise or a contract.

I shall vote for two battleships as a reluctant confession of the impropriety of our position as a nation, and as a further confession of our lack of the ordinary good manners that are necessary to secure peace. Would that our contribution might go into an international pool to provide an international police force and not be an added burden upon us and upon our neighbors who, in racing for naval supremacy are starving their people and destroying the possibility of the growth of the ideal of peace.

First of all, as a cause of offense, we have established the Monroe doctrine which, in the language of Secretary of State Olney, holds that "We are supreme on the American continent; our fiat is law." This doctrine renders us responsible for all the misdeeds of all the governments that may be described as incompetent, misgoverned, and impossible that infest the continent and the islands adjacent thereto.

President Diaz, having been asked why Mexico did not possess a navy, shrewdly replied that the United States "of the North" kept one for Mexico's especial benefit.

The Monroe doctrine was doubtless of value at the time when we, as a weaker nation, might have feared absorption by some great European power. Then it was a defensive and not an offensive measure. That danger has long passed and with it the excuse of all others to police the American continent.

It has not been enough for us to assert this continental doctrine, but inadvertently we found ourselves mixed in the interminable Eastern struggle by our capture of the Philippines, so that now we are not only "supreme on the American continent," but take our pro rata share of supremacy in Asia—that is, if our own words are to be believed.

As a continental power we have nothing to fear, but as "a world power," whatever that may mean—indulging in cocoanut trees, mangoes, bubonic plague, and dependencies—we certainly are not completely armored as we would be if we stayed at home and reasonably managed our own affairs. A sensible turtle does not extend beyond its shell.

We have entered into solemn contracts with other nations, sometimes in treaties, and, at other times, conventions. It is more than probable that we have overdone the treaty-making occupation, but having entered into such treaties, we are bound to keep them until such time as either, by mutual agreement, they may be dissolved, or at least until such time as we may with courtesy request their abandonment, leaving to The Hague tribunal justification for our act.

But that is not the way our modern American statesmanship is conducted. We had a treaty with Russia which was absolutely untenable in its nature—untenable to both sides. With all courtesy, we could have jointly abandoned stipulations which neither party could uphold. But in both Houses of Congress, for political reasons, we indulged in tirades against a friendly nation of such nature as might well have been provocative of war. Gentlemen who have differences of opinion which they desire to settle do not begin their negotiations with the language of a blackguard, nor can nations enter upon the delicate matter of diplomatic differences with bluster and bad language.

In the case of tolls through the Panama Canal, there was much discussion in both Houses as to the meaning of the Hay-Pauncefote treaty, which emphatically declares that—

The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation or its citizens or subjects in respect of the conditions or charge of traffic or otherwise.

It seems to me that the argument against construing this clause as affecting ourselves was plain sophistry. It was bad enough, from my point of view, even to make such argument, but back and forth through this argument there ran a still more discordant note which might well lead our English friends to believe us a nation easily willing to disregard the sacred nature of a promise, if such promise in any way interferes with our immediate objects.

The plain question of good faith and of justice was submerged under a torrent of jingoism and obscured in the waving of flags.

After years of struggle and careful negotiation, our State Department had arrived at a convention with other powers whereby pelagic sealing might be prevented. While I am thoroughly convinced that the

arrangement contemplated was for the best interests of all concerned, and especially of the seal herd, even granting as open to discussion, there was no excuse for the heedless manner in which we kicked over all mutual understandings and virtually proposed to dominate the sea.

Whatever criticisms may be urged against President Taft and his peace treaties, which, in the eyes of many persons, would have gone so far as to be the cause of strife rather than of tranquillity, this certainly must be said, that in the face of pressure of all sorts and of almost unbearable complications he refrained from war with Mexico and showed himself a friend of peace.

In this connection, I would insert a letter sent to him in April, 1911:

THE PRESIDENT, WHITE HOUSE.

DEAR MR. TAFT: As one interested in Mexican investments, I wish to commend in the highest terms your policy of noninterference. Every American dollar and every American life in Mexico is there subject to the risk of the possessor. If I would not myself go to Mexico to risk my life in defense of my property interests I would be no less than a murderer to ask that the men in our army should assume such a risk.

Yours truly,

WILLIAM KENT.

Far rather than vote for additional battleships I would vote, if such a matter were possible, for neutralization of the Philippine Islands, with a definite promise of self-government to them within a short time; for the abandonment of such portion of the Monroe doctrine as is not essential to our own self-defense, and for the elimination from our public life of a spirit of reckless jingoism that masquerades as patriotism, but which, by the encouragement of military armament, is working the greatest harm to our peace and welfare.

The statesman who insults a foreign nation is not, as he may suppose himself, the fourteenth stripe and the forty-ninth star in our flag, but is a public nuisance. He should be given special license to shoot himself if he so desires, rather than to bring about a state of affairs where those guiltless of offense may be compelled to act as targets.

Braggadocio, bluster, and battleships, world power, and du Pont powder, protection, commercial reprisals, and subsidies, these blend in fortifying privilege, in creating a need for pensions, in wasting the treasure of the people. The combination is too strong, Mr. Speaker. Possessing such luxuries as Philippines, doctrines, and bad manners, we need the ships.

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THE COSMOPOLITAN CLUB MOVEMENT



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The Executive Committee of the Association for International Conciliation wish to arouse the interest of the American people in the progress of the movement for promoting international peace and relations of comity and good fellowship between nations. To this end they print and circulate documents giving information as to the progress of these movements, in order that individual citizens, the newspaper press, and organizations of various kinds may have readily available accurate information on these subjects. A list of publications will be found on page 15.

Not the least interesting of the modern movements for internationalism is the student movement, now widespread, which has found expression in the Cosmopolitan Clubs and in the world federation known as the "Corda Fratres." Mr. Louis P. Lochner, the author of the present article, was born in Springfield, Ill., Feb. 22, 1887, and educated at the University of Wisconsin. Mr. Lochner was the first president of the Association of Cosmopolitan Clubs, and is now the General Secretary of the "Corda Fratres" and Editor of *The Cosmopolitan Student*.

THE COSMOPOLITAN CLUB MOVEMENT

During the last decade the complexion of the American student body has undergone a remarkable change. From being national and local institutions our large universities have become international temples of learning. Slowly but steadily, beginning about 1900, there was noticeable a marked influx of foreign students. Take the case of my own Alma Mater. While in 1899 there were only nine students registered from foreign countries, twenty nations now together contribute over a hundred young men to the student body of the University of Wisconsin. At some of the Eastern institutions the number of non-American students is even greater. Harvard boasts of 167; Columbia of 200; Pennsylvania of 225.

With the coming of the foreigner there has developed one of the most interesting movements known in college life—the banding together of students from all countries in international or cosmopolitan clubs, aptly termed “*Miniature Hague Conferences*” by Baron d’Estournelles de Constant. Almost spontaneously four such clubs sprang into existence from 1903 to 1905 at Wisconsin, at Cornell, at Michigan, at Illinois. Human brotherhood was the watchword of these infant societies. Any person from any country (a limited number of Americans with cosmopolitan ideals and sympathies included) was to be eligible, irrespective of

creed, color, religious or political affiliation. The internal organization was intensely democratic. Members of the faculty were invited to join on the same terms as students. All members were treated as equals—Turk and Italian, Frenchman and German, Russian and Japanese, Englishman and Hindu, Peruvian and Chilean. From the beginning these clubs set before themselves as a goal toward which to strive, the acquisition of a club house in which men from every country might live under the same roof and by close personal contact learn to respect and admire each other. From the beginning, too, these clubs were filled with missionary zeal for the propagation of the cosmopolitan club idea to other universities and colleges.

FOUNDING OF NATIONAL BODY

Soon they discovered each other and entered into a loose understanding. Partly through their combined efforts, partly because cosmopolitanism seemed to be in the very air, four other universities organized similar clubs within the next two years. In 1907 the Wisconsin International Club invited the existing eight societies to a meeting at Madison, the result of which was the organization of the Association of Cosmopolitan Clubs.

GROWTH OF THE MOVEMENT

Since that time the growth of the movement has been nothing short of marvellous. After but one year of organized effort the number of clubs, or chapters,

had more than doubled. Not to mention half a dozen clubs which have not yet affiliated themselves with the national body, to-day a network of twenty-six branches extends from Harvard in the East to Stanford and Washington in the West. An extremely interesting club in New York City is located near Columbia University, and maintained under the auspices of the Intercollegiate Branch of the Y. M. C. A. It provides a home for the foreign students in the whole city, irrespective of the particular institution at which they are matriculated. Our cousins to the North have joined hands with us, and the Students' Cosmopolitan Club of the Ontario Agricultural College at Guelph now stands as the first outpost of cosmopolitanism in Canada.

SOME RESULTS OF ORGANIZED EFFORT

United in a large association, the clubs have been instrumental in inducing the presidents of a score of universities to appoint special advisers for foreign students. For several years they have been in correspondence with the Bureau of Education over the publication of a bulletin of information regarding North American universities for the guidance of foreign students contemplating matriculation here. As an evidence of their brotherly spirit, the clubs in 1911 raised \$2,000 for the Chinese famine sufferers. Through the generous co-operation of the World Peace Foundation of Boston, the association has for almost three years maintained a central office at Madison, Wis., and has published a monthly organ, *The Cosmopolitan Student*.

EXPANSION TO FOREIGN SOIL

Nor has the movement stopped here. Through the efforts of former members from Cornell and Harvard, who went to Germany for graduate study, even the conservative educational world of Berlin and Leipsic has countenanced the organization of two *Internationale Studentenvereine*. Goettingen and Munich, too, have fallen into line, and have established similar societies. The Goettingen *Verein* in July last even acted as the host for a national convention of the four German societies. In England, where a cosmopolitan club was organized at Oxford University in 1907, a "Central Committee for the Promotion of the Cosmopolitan Clubs" has been formed as a result of a conference of American and English cosmopolitans during the First Universal Races Congress at London. The movement has even progressed to Turkey, where a cosmopolitan club of fifty members, representing fifteen nationalities, has been founded at Robert College, Constantinople.

THE "CORDA FRATRES"

Five years before even the first international club was founded in the United States, the students of Italy gave living expression to their ideals of world brotherhood by issuing an invitation for an international students' congress at Turin. The students' associations of seven nations which responded (Belgium, France, Holland, Hungary, Italy, Roumania, and Switzerland) banded themselves together in the *Federation Internationale des Etudiants*, which has as its

motto the Latin words "Corda Fratres" (brothers in heart), and which soon became generally known by the motto rather than the original name. *Corda Fratres*, like the Association of Cosmopolitan Clubs, has for its central object the promotion of "the idea of solidarity and brotherhood among students." It holds biennial international congresses, at which the students from many countries spend delightful days of social and intellectual enjoyment. It promotes international visits of students and extends generous hospitality to student guests from other countries. It is now looking toward the establishment of an international magazine which shall bind the members more and more closely together, and through the columns of which current international problems may be freely discussed.

A WORLD FEDERATION

No sooner had *Corda Fratres* and the Association of Cosmopolitan Clubs obtained a knowledge of each others' existence than negotiations were entered into for a confederation of these two large bodies. After United States delegates had attended both the Hague congress of *Corda Fratres* in 1909 and the Rome congress in 1911, the terms of affiliation were finally worked out; and the European and North American bodies, together with the student associations of Argentina and Chile, while each retaining its autonomy, have merged into a world confederation of students, with a central committee of two delegates from each country represented directing the work of propaganda and

administration. The president and secretary of this international central committee for 1911-13 are George W. Nasmyth, of Cornell, and Louis P. Lochner, of Wisconsin. There is every prospect that in 1913, when the biennial international congress meets at Cornell University, Ithaca, N. Y., every section of the globe will be represented.

Such are briefly the historical facts concerning the movement. Let us now try to get at the spirit animating these cosmopolitan clubs, and to gain a glimpse of the foreign students' life.

AN ILLUMINATING INCIDENT

At a recent social gathering of faculty and townspeople in a Western college town, the conversation happened to turn upon the foreign student. It was pointed out that he was doing quite as brilliant work in the classroom as his American confrère; that in oratory, debating, athletics, and journalism he was giving the native student a close run for first honors; that socially he was of knightly bearing, polite, and agreeable. Nevertheless, in all that "cultured" gathering there was but one professor, a member of the cosmopolitan club, who dared assert that he treated the foreigner as absolutely his equal. "How can a civilized soul repose in the breast of a Japanese?" he was asked. "Would you think of letting your daughter dance with a Chinese or Hindu?" inquired another. And when the faculty man replied to the latter question in the affirmative, the rest held up their hands in horror and consternation.

BREAKING DOWN PREJUDICE

The incident illustrates how little understanding there still is of the man of different country, different tongue, different race, different color. To overcome this prejudice the cosmopolitan clubs from the beginning invited the public to their discussions. They believed their mission to be not only the selfish one of organizing for their own social advancement, but also the broader one of dispelling international ignorance and misunderstanding in their several college communities. They invited lecturers on international topics to address them in open, public meetings. They arranged for members of the different nationalities to discuss current problems of universal interest. They organized social functions to which town and gown were invited, and in the course of which the guests could convince themselves that the human heart is the same, whether its first pulsations began in a cradle in Tripoli or Rome or Constantinople.

Best of all, the clubs from the very beginning adopted a policy of giving a series of "national nights." I can best explain their nature by a concrete illustration from the club at my university.

A TYPICAL "NATIONAL NIGHT"

Let us take the evening on which the fifteen members of the Filipino colony entertain the club in honor of Dr. José Rizal, their national hero, who gave his life for the liberation of the Islands. The Filipinos have

transformed the place of meeting into an Oriental palace hall. Overhead are broad streamers of that exquisite, delicate cloth which Filipino women weave by hand from pineapple fibers and silk. Before us is a gorgeous Filipino flag enveloping a portrait of Dr. Rizal; around it, artistically draped, the flags of all the other nationalities represented in the club.

The program begins. Characteristic Filipino strains are executed on the bandurria and the guitar, and fifteen spirited brown fellows with pitch black hair and dazzling white teeth swing rhythmically to and fro as they sing one of their charming waltzes. We are now in a receptive mood to listen to what they have to tell us about their folklore, their national aspirations, their educational progress. And, whether we agree with them or not, we try to see their viewpoint and try to sympathize with them as they make an eloquent plea for the independence of their Islands.

The program is ended. Among those who extend their congratulations for the successful entertainment is the son of an influential Chinese magistrate who will enter his government's service upon his return, a *bona fide* German baron who holds an exchange fellowship in political science, a Roumanian Jew of prominent family whom persecution forced to emigrate, a Japanese scholar who is preparing for the diplomatic service, a patriotic Cuban who will serve his country as civil engineer, and fifty other men of different nationalities representing every shade of opinion, creed, and ideal. All have discarded their prejudices, and have

tried to enter into the spirit of the colony which is in charge of the program.

VALUE OF THE " NATIONAL NIGHTS "

Through the various "national nights" given at our clubs the members have obtained a better insight into the mode of living, customs, and characteristics of different peoples than they can ever gain from the colored accounts of travellers in foreign lands. They have learned about the causes of the Revolution in China and student life in Holland, about courtship in the Philippines and Grieg's influence on music, about the Turco-Italian war and Irish folklore, about Shintoism in Japan and convent life in France—to mention but a few topics that were discussed in recent "national nights." To those interested in music an unlimited field of fantastic Dutch gavottes, graceful Mexican waltzes, delicate Italian capricciosos, sentimental Norwegian peasant songs, weird Hungarian dances, and stern German chorals has been opened. At times the nationalities have treated the clubs to an exhibition of their national dances, accompanied by characteristic strains, and have executed the heavy German *Schuhplattler*, the graceful Filipino quadrille, and the solemn Japanese sword dance. And, lest the inner man fail to be impressed with the national spirit, the clubs have been served with Leyden cheese and Chinese *li-chen*, with Mexican cocoa and German *belegte Broedchen*, with Hungarian *goulash* and Brazilian *beijoca*.

PEACE-DAY EXERCISES

An interesting feature was introduced into the Peace-Day exercises given under the auspices of one of our clubs. Thirteen different national songs were sung in the original tongue by a chorus of club members. Not only did every one of the thirteen participants learn the tune of twelve national airs besides teaching his fellow choristers his own, but he memorized the words of all of them, mastering the difficulties of pronouncing Russian, Chinese, Hawaiian, and Japanese words, besides those of Western European nations. An impressive spectacle it was when these thirteen students marched upon the platform, each clad in the costume of his country—the Mexican with his sombrero, the Chinese with his robe of silk, the Hollander with his wooden shoes and bloomer trousers, the Scotchman with his kilts. Without a breach or flaw, interrupted only by the enthusiastic applause of the audience, there followed in rapid succession the “Rule Britannia,” “Hawaii ponoi,” “Mexicanos al grito,” “Wacht am Rhein,” and eight other national songs. When, finally, the last hymn came, and the twelve foreign students joined their brothers from the United States in “America,” the large audience was taken off its feet, and everybody with a fervor and enthusiasm seldom equalled in a gathering of college men and women joined in singing our national anthem.

TWO EDUCATORS ON COSMOPOLITANISM

The broadening influence which the cosmopolitan clubs have exercised upon their several communities can hardly be overestimated. The dictum of President Jacob Gould Schurman, of Cornell, concerning the Cornell Cosmopolitan Club may be generally applied: "The organization has met a distinct need and discharged a special and most valuable function. Our foreign students in the Cosmopolitan Club have laid before our American students accounts of the contributions which their respective countries have made to the civilization of the world, and compelled from them a respectful and even sympathetic consideration." And the prophecy of President C. R. Van Hise, of the University of Wisconsin, made in 1907 when the national body was formed, gives every promise of its complete fulfilment: "No other student organization is likely to accomplish more for the universities of the nation and for education in general than the Association of Cosmopolitan Clubs."

That the clubs have proved a source of great help and benefit for the foreigner there can be no doubt. A stranger in a strange land, he is accorded a hearty welcome in the Cosmopolitan Club. He there finds a broad catholicity of sympathies. He finds the best fellowship and comradeship prevailing. He forms attachments that last far beyond college days. He comes in touch with representative American students, who in turn introduce him into American families and give

him an opportunity to understand American home life.

FACTORS IN INTERNATIONAL CONCILIATION

As a factor in international conciliation the cosmopolitan movement ranks equal with anything yet evolved. Our pacifism, though the very nature of our organization will perhaps prevent our ever identifying ourselves with any particular peace society, is nevertheless of a positive character: where many organizations aim at the prevention of war, our endeavor is first and foremost the promotion and upbuilding of friendship. When our members from so many different countries—and be it remembered that our foreign students are for the most part picked men, men coming from the best and most influential families, men in many cases sent by their governments and destined to become leaders of public opinion—when, I say, these young men at the most impressionable and formative periods of their lives learn by close contact to know each others' characteristics, idiosyncrasies, and viewpoints, they cannot help but return to their native countries apostles of international goodwill, of world brotherhood. They will always remember the beautiful words of Goldwin Smith, adopted as the motto of the Association, "Above all Nations is Humanity."

Louis P. LOCHNER.

MADISON, WIS.

THE SPIRIT OF SELF-GOVERNMENT

MR. PRESIDENT, GENTLEMEN OF THE CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.—I thank you with entire sincerity and much feeling for your reception, and for the kind expressions which old friendship and the association of a lifetime have made it possible for your President to utter. However old I may come to be, I shall never pass out from under the impression of reverence for the men who forty to fifty years ago made the Chamber of Commerce; and first among them in my memory stands the noble and inspiring presence of the father of your present President.

I thought of those men when some dozen years ago, a great excitement had carried a large number of people to the barren and uninhabited land on the shores of the Behring Straits. Fifteen thousand men found themselves there without government, without law, and without organization. In characteristic American fashion they proceeded to organize a Chamber of Commerce of Nome. And they called upon the War Department to send them some officers and men to enable them to ex-

ecute the decrees of the Chamber of Commerce for the benefit of the people on that shore. The call was responded to after the fashion in which the American army is all the time doing odd jobs for the promotion of peace and order; and the Chamber of Commerce speedily grew into an organized government.

The Chamber of Commerce of New York has been rendering very much the same kind of service during all these one hundred and forty-four years. It has been giving impetus and form to public sentiment, the effects of which have been put in operation through the ordinary channels of governmental institutions. The institutions themselves are empty forces but for the sentiment behind them; and the sentiment behind them is furnished by such men as I see before me here and by such institutions as this Chamber of Commerce. The real government of the country rests with such institutions and the men who compose their membership.

My friends, the noise and excitement of a great presidential campaign is over; the stress and strain, the over-statements, the warping of judgment by personal considerations and by old associations, have passed into memory, and we are all at rest; and during this period of rest, which in this active

and vigorous and progressive country must be but short, it seems to be a good time for national introspection.

I have been thinking whether passing beyond and behind all the issues that we have been discussing, we can answer in the affirmative or the negative a crucial question, underlying them all, and that is this: Are we advancing in our capacity for self-government? Are we maintaining our capacity for self-government?

All the rest is unimportant compared with that. If we have the spirit of a true self-governing people, whichever way we decide the questions of the moment, we come through right. Whatever we do about the tariff or about the trusts, or about the railroads, or about wages, or about corporations, or whatever we do about any of the issues before the American people, if we have at heart the true spirit of a free self-governing democracy we come through right. What is it? What is the spirit of a free self-governing democracy? What are its essentials, and have we them to a greater or a less degree? What is the tendency, is it up or down?

Of course, a people to be self-governing must have independence of character and courage; that we know we have. Throughout the length and breadth

of our land the Americans have an attitude in which one recognizes no social or political superior, in which every man knows himself to be a man of equal manhood with all others and has the courage to speak his opinions and to maintain them; and we thank God for that.

But that is not enough; that is not all. All histories of wild and savage people, all the histories of lawless and undisciplined men, all the histories of civil wars and revolutions, all the histories of discord and strife which checks the onward march of civilization and holds a people stationary until they go down instead of going up, admonish us that it is not enough to be independent and courageous.

Self-governing people must have the spirit which makes them self-controlled, which makes every man competent and willing to govern his impulses by the rule of declared principle. And more than that, men in a self-governed democracy must have a love of liberty that means not merely one's own liberty but others' liberty. We must respect the opinions and the liberty of the opinions of our countrymen. That spirit excludes hatred of our opponents. That spirit excludes a desire to abuse, to villify, to destroy. All of us in foreign lands have felt the blood rush to the head, and felt the heart beat

quicker, felt a suffusion of feeling upon seeing our country's flag floating in strange ports and in distant cities. That, my friends, is but a false sentiment, unless it carries with it a love not only for the flag but for the countrymen under the flag. True love of country is not an abstraction. It means a little different feeling toward every American because he is American. It means a desire that every American shall be prosperous; it means kindly consideration for his opinions, for his views, for his interests, for his prejudices, and charity for his follies and his errors. The man who loves his country only that he may be free does not love his country. He loves only himself and his own way and that is not self-government, but is the essence of despotism.

Now as to that feeling I will not say that we have gone backward, but I will say, that there is serious cause for reflection on the part of all Americans.

Our life has become so complicated, the activities of our country so numerous and so vast, that it is very difficult for us to understand what our countrymen are doing. The cotton planters understand each other, the wheat farmers understand each other, the importers understand each other, the bankers understand each other, but there are vast masses of the people of our country who totally misunder-

stand others of our people, and that misunderstanding lies at the bottom of the spirit which I have attempted to describe as so necessary to real self-government.

The misunderstanding, and when I say the misunderstanding it implies erroneous ideas, for there are hundreds of thousands of people, outside the great industrial communities, who think you are a den of thieves, and there are hundreds of thousands of people who think that the manufacturers of the country are no better than a set of confidence men. Why, we have before us now great and serious questions regarding the financial problems of the country, and this is what stands in the way of their solution: It is that the men who understand the finances of the country, the bankers, and the merchants engaged in great operations, are under suspicion. Great bodies of people will not accept what they say regarding the subject of finance, a subject complicated by all the currents and movements of finance throughout the world; they will not accept what the experts say, what the men who understand the subject say, because they do not believe their motives are honest. So that the only one who can be heard is the man who does not understand the subject. How are we to reach any conclusion in that

way? On the other hand, there are many in this room to-night who way down in their hearts believe that the great bodies of the American people really want to destroy their business and confiscate their property, that they are enemies to the men who are carrying on the vast business essential to our prosperity.

Now, neither is true. One misunderstanding leads to conduct which in some respect seems to justify another misunderstanding. Nobody in this country wants to destroy business, wants to destroy prosperity. I say nobody. Of course, there are always hangers-on in every country who would like to destroy everything in the hope of picking up the pieces. But speaking of the great body of the people, they do not want to destroy prosperity; and when they do things, when they vote for measures, when they elect Representatives, leading you to think that they want to destroy prosperity, it is because they misunderstand you, and you misunderstand them.

There is nothing more important to-day, than that, by education and the spread of ideas, such misunderstanding shall be disposed and done away with, and that all Americans shall come to the spirit of popular government in which every American de-

sires the prosperity and the happiness of every other American; every American naturally feels a trust in all Americans, because they are all his brothers, fellow inheritors of the great system of constitutional law for the preservation of liberty and justice, of the same great traditions, the same noble ideals of human freedom and human opportunity.

There is one other essential to the spirit of self-government, and that is justice. The manufacturer, the employer of labor, who is unwilling to be just to his workingmen is false to the ideals of his country. The laborer who, in the comparatively new-found power of organization, is unjust to his employer is false to those great traditions in which rest the liberty of all labor.

The willingness to do justice in a nation to every brother of our common land is the ideal of self-government. Further than that, the willingness to do justice as a nation is the true conception of self-government. That rude and bumptious willingness to insult and deride, the result of ignorance, is wholly false to the true dignity and the true spirit of popular self-government.

We are now approaching a question which will test the willingness of the American people to be true to the ideals of self-government and show

that a democracy can be honorable and just. Sixty odd years ago Great Britain and the United States were owners of a great territory extending from Mexico to the frozen north, each with a great sea coast on the Atlantic and each with a great sea coast on the Pacific. It was of vital importance to both that the age-long problem of transit across the Isthmus should be solved; and they went into partnership to support and to stand behind the making of a canal across the Isthmus. They embodied their agreement in what was called the CLAYTON-BULWER Treaty of 1850. Well, time passed. Nothing was done, largely, for a long time, because of the French experiment of canal building; until finally a few years ago that partnership was dissolved, and then a new agreement was made under which Great Britain retired from her position, and signed over to the United States all the rights she had under the partnership agreement, with the provision that the canal, when constructed under the patronage of the United States or by the United States, whichever it might be, should be opened and made neutral upon the same terms that were specified in the original agreement, which were that the ships of Great Britain and the ships of the United States should have exactly the same treatment.

Then Panama made to the United States a grant of the use and occupation of a strip of territory across the Isthmus to be used for the construction of a canal in accordance with the terms and stipulations in this treaty with Great Britain. The last session of Congress, however, passed a law which gives free transit to American ships engaged in coastwise trade when passing between our Atlantic coast and our Pacific coast, while tolls are to be imposed upon British ships passing between British ports on the Atlantic and British ports on the Pacific, and upon all other foreign ships. Now, Great Britain claims that that is a violation of the treaty which we made with her and in accordance with which, by express provisions contained in our grant from Panama, we were to build and open the canal. Congress takes a different view of the construction of the treaty, and it has passed this law which Great Britain says violates it. The question is now, "What is to be done about it?"

We have a treaty with Great Britain under which we have agreed that all questions arising upon the interpretation of treaties shall be submitted to arbitration; and, while it seems hardly conceivable, yet there are men who say that we will never arbitrate the question of the construction of that treaty; but

I say to you that if we refuse to arbitrate it, we will be in the position of the merchant who is known to all the world to be false to his promises.

With our nearly four thousand millions of foreign trade we will stand in the world of commerce as a merchant false to his word. Among all the people on this earth who hope for better days of righteousness and peace in the future, we will stand, in the light of our multitude of declarations for arbitration and peace, as discredited, dishonored hypocrites; with the fair name of America blackened, with the self-respect of Americans gone, with the influence of America for advance along the pathway of progress and civilization, annulled, dishonored and disgraced. No true American can fail to use his voice and his influence upon this question for his country's honor.

We need to think about these deeper things, more important than anything we have been discussing in the campaign. For, if we are right fundamentally, we will solve all the questions. The spirit of a people is everything, the decision of a particular question is nothing, if we are honest and honorable. If we are lovers of liberty and justice, if we are willing to do, as a nation, what we feel bound to do as individuals in our communities, then all the

questions we have been discussing will be solved right, and for countless generations to come Americans will still be brothers, as they were in the days of old, leading the world toward happier lives and nobler manhood, toward the realization of the dreams of philosophers and the prophets, for a better and nobler world.

No 62 A.

SENATOR ROOT AND LATIN AMERICA

MR. ROOT.—Mr. President, I ask the indulgence of the Senate while I make a statement in a matter of personal privilege.

On the 26th of October last there was published in the newspaper *El Cronista*, in Tegucigalpa, the capital of Honduras, a false and fabricated pretended speech alleged to have been made by me regarding the relations between the United States and Central and South America. I send to the desk a translation of this pretended speech, and will ask that it be printed in the *Record* as a part of my statement, without detaining the Senate by reading it in full.

[Translation of pretended speech falsely attributed to Senator Root.]

[*El Cronista*, Tegucigalpa, Oct. 26, 1912—No. 60.]

ELIHU ROOT BEFORE LATIN AMERICA.

The following paragraphs of a recent speech of Mr. Root, United States Senator, ex-Secretary of State, and one of the most eminent personages of the Yankee country, ought to be known in Central America.

As follows:

“Our position in the Western Hemisphere is unique and without example in modern history. This Nation is a greater and nobler Rome, placed by God to act as arbitrator, not only in the destinies of all America, but also in Europe and Asia, through its natural resources and industrial products which supply the world. The English and German armies are fed

EL SENADOR ROOT Y LA AMÉRICA LATINA

SEÑOR Root.—Señor Presidente, pido la indulgencia del Senado mientras hago una declaración en un asunto privilegiado y personal.

El 26 de octubre pasado, se publicó en el periódico *El Cronista*, en Tegucigalpa, capital de Honduras, un discurso fingido, falso, y supuesto y que alegan haber sido pronunciado por mí tocante á las relaciones entre Los Estados Unidos y La América Central y del Sur. Le presento al Señor Secretario una traducción de este discurso falso y ruego que se imprima en el *Record* como parte de mis manifestaciones sin ocupar el tiempo del Senado con la lectura completa del mismo.

[*El Cronista*, Oct. 26, 1912—No. 60.]

EL CRONISTA. Tegucigalpa, 26 de Octubre de 1912.

ELIHU ROOT ANTE LA AMÉRICA LATINA.

Conviene que en Centro América se conozcan los siguientes párrafos de un discurso de Mr. Root, Senador de los Estados Unidos, Ex-Secretario de Estado y personaje de los más eminentes del país yanqui. Dicen así:

“ Nuestra posición en el Hemisferio Occidental es única y sin ejemplo en la historia moderna. Esta nación es una Roma más grande y noble, colocada por Dios para actuar de árbitro, no sólo en los destinos de toda la América, sino en Europa y en Asia, por sus recursos naturales y productos industriales que surten al mundo. El ejército inglés y el de Alemania se alimentan de la carne que les mandamos. Los efectos que

with the meat which we send them. The supplies which Europe buys of us it could not obtain in any other world market if our exportation were suspended.

"Our manifest destiny as controller of the destinies of all America is a fact so inevitable and logical that only the means which we should employ in order to arrive at this end are left to be discussed; but no one doubts our mission and our intention to fulfill it, or, what is more significant, of our power to accomplish it.

"In the second half of the twentieth century they who study the map will be very much surprised that we should have 'waited so long' to round out the natural frontiers of our territory to the Panama Canal, and on the other side, to the Southern Continent, and that in the same manner (haya pasado con las Antillas todas, como en el viejo mundo, de no haberse encontrado el nuevo) the same should have happened to all the Antilles as happened in the Old World—that is, not to have discovered the New World, with the difference that we have no need of a Columbus, but rather of a simple joint resolution of our Congress.

"It is a question of time when Mexico, Central America, and the islands which we still lack in the Caribbean Sea shall fall beneath our flag. When the Panama Canal is open it would be as insufficient to place a sentinel only in Porto Rico, without doing the same in Cuba, as if a man tied one arm in order to row, or a lady to put in one earring to adorn herself for a feast.

"Not long ago the Porto Rican delegates, headed by the representative of that island, who has a seat in our Congress, but does not vote, visited me in order that I, as president of the committee on Latin America affairs, should inform them what policy we proposed to follow in Porto Rico, and I expressed myself more or less as follows:

"I told them that I have been, and always shall be, opposed to granting North American citizenship to the Porto Ricans, as well as to other Latin Americans who, for inevitable reasons, pass under our control. I believe that it would be prejudicial for both parties.

"As this desired citizenship from the outset would have to be understood in autonomous form, once granted greater dis-

nos compra Europa, de suspender nuestras exportaciones no los podría adquirir en ningún otro mercado mundial.

“ Nuestro destino manifiesto como controladora de destinos de toda América, es un hecho tan inevitable y lógico, que se han llegado solamente á discutir los medios de que nos valdremos para llegar á esa finalidad ; pero nadie duda de nuestra misión y del propósito de cumplirla, ó lo que es más significativo, de nuestro poder para realizarla.

“ En la segunda mitad del siglo XX, los que estudien el mapa se sorprenderán mucho de que nosotros hayamos ‘esperado tanto’ para redondear las fronteras naturales de nuestro territorio hasta el Canal de Panamá y del otro lado, hasta el Continente Meridional, y de que lo mismo haya pasado con las Antillas todas, como en el Viejo Mundo, de no haberse encontrado el Nuevo, con la diferencia de que no necesitamos de un Colón, sino de una sencilla resolución conjunta de nuestro Congreso.

“ Es cuestión de tiempo, para que México, Centro-América, y las Islas que aún nos faltan en el mar Caribe, queden bajo nuestra bandera. Cuando esté abierto el Canal de Panamá, tan incompleto resultaría poner centinelas solo en Puerto Rico, sin hacer lo mismo en Cuba, como si un hombre se atara un brazo para remar, ó una dama se prendiera un solo arete al ataviarse para una fiesta.

“ No hace mucho tiempo que los Delegados portorriqueños encabezados por el Representante de esa Isla, que tiene sitio en nuestra Cámara pero no voto, me visitaron para que yo, como Presidente de la Comisión de Asuntos Latino-Americanos, les manifestase cual política nos proponíamos seguir en Puerto-Rico, y poco más ó menos, así me expresé :

“ Les dije que he sido, soy y siempre seré, enemigo de concederles ciudadanía norteamericana á los Portorriqueños, y lo mismo en el caso de otros Latino-Americanos, que, por motivos imprescindibles, pasen á nuestro control. Creo que sería contraproducente para ambas partes.

“ Como esa deseada ciudadanía al principio debía entenderse bajo una forma autonómica, una vez otorgada no tardaría en surgir mayor descontento, alegando que no eran iguales como ciudadanos á los de la Unión.

content would not be long in following, maintaining that as citizens they are not equal to those of the Union.

"The granting of citizenship implies many other things and is clothed with uncertainty; and in any case it is too much to ask that we compromise ourselves for the Antilles with their handful of millions of inhabitants whose race, civilization, aspirations, and customs are not only distinct, but even antagonistic to ours.

"I told them that they were, after all, Latins, and as such, although the inheritors of glorious historic and artistic traditions and possessed of great domestic virtue and instruction, above all in abstract sciences, and a disposition for the arts, as Latins, I repeat, they understood citizenship and other fundamental principles in a different way to the Saxons; and as these principles are judged by results, we are right and they are wrong. With the Latin Americans there does not exist, nor can we have anything in common, if we accept the good will which we mutually profess, but great as are these good wishes, they do not suffice to fill the gulf which separates us.

"The United States augments in population, riches, and importance daily, and we can with difficulty take care of our own affairs, but, being the case, 'why complicate our task with new lodgers in the house, as the Latin Americans converted into citizens of our great Nation cannot help but be?'

"I understand and confess that we are governing badly in Porto Rico, as we governed badly in Cuba the second time. But though we may do it badly we shall always do it better than the natives. In the Philippines, where our rule has been more strict, the results have been admirable. And the Porto Ricans, Cubans, and Filipinos should be convinced of the fact that, since our experience with the annexation of Hawaii, we will not repeat the expedient of citizenship.

"If it were possible for these Latin America nationalities to understand 'self-control' and 'self-government,' as is the case with our northern neighbors, then Pan Americanism would be a beautiful reality, without necessitating our learning to command in Spanish; but can they or do they know how to govern themselves? Let Haiti say; let Mexico say; let Colombia, Panama, Nicaragua, and, above all, Cuba, twice instructed by us, watched diplomatically since and whose

“ La concesión de ciudadanía implica otras muchas cosas y reviste trascendencia; y en todo caso, es demasiado pedir que nos comprometamos por Antillas de un puñado de millones de habitantes, cuya raza, civilización, aspiraciones y costumbres, son no sólo distintas, sino antagónicas á las nuestras.

“ Les dije que ellos eran después de todo, latinos, y como tales, por más que fueran herederos de gloriosas tradiciones históricas y artísticas y poseyeran grandes virtudes domésticas é instrucción sobre todo en ciencias abstractas, y disposición para las artes, como latinos, repito, concebían la ciudadanía y otros principios fundamentales, antíteticamente á los sajones; y como esos principios se juzgan por los resultados, nosotros tenemos razón y ellos están equivocados. Entre los Latino-Americanos, no existe, ni podemos tener nada en común, si exceptuamos la buena voluntad que mutuamente nos profesamos; pero por grandes que sean esos buenos deseos, no bastan para llenar el abismo que nos separa.

“ Estados Unidos aumentan en población, riqueza é importancia á diario, y difícilmente podemos atender á nuestros propios asuntos. Siendo así, ¿porqué hemos de complicar nuestra tarea con nuevos huéspedes dentro de la casa, que no otra cosa serían los Latino-Americanos convertidos en ciudadanos de nuestra gran nación?

“ Comprendo y confieso que estamos gobernando mal en Puerto-Rico, como no gobernamos bien en Cuba la segunda vez. Pero por mal que lo hagamos, siempre lo haremos mejor que los nativos. En las Filipinas, donde nuestro régimen ha sido más estricto, los resultados han sido admirables. Y deben estar convencidos los Portorriqueños, Cubanos y Filipinos, de que, después de nuestra experiencia con la anexión de Hawaï no repetiremos el expediente de la ciudadanía.

“ Si acaso fuera posible que esas nacionalidades latino-americanas comprendieran el ‘self control’ y el ‘self government,’ como pasa con nuestros vecinos septentrionales, entonces el Panamericanismo sería una hermosa realidad, sin necesitar nosotros de aprender á mandar en español; pero ¿pueden ó saben ellos gobernarse? Dígallo Haití, dígallo México, díganlo Colombia, Panamá y Nicaragua, y, sobre todo Cuba, aleccionada dos veces por nosotros, vigilada diplomáticamente después, y cuya desorganización económica actual es tan desastrosa

present economical disorganization is as disastrous as in the colonial epochs, say. In the hands of these people is their fate; but I doubt whether it will be good, unless it is beneath our protectorate.

"Did not the North American Government find itself on the eve of change to replace the present administration or to confirm it in power, no one would deny that in these hours we would have already solved the Mexican and Central American complication and given special attention to the economical affairs of the Great Antilla (Cuba). And whoever speaks of national finances, speaks of all the Government and national system. Fortunately, and soon, we shall reach a strategic position, since 'alea jacta est,' and whoever of the three candidates occupies the White House, as they are of one opinion regarding foreign policy and, above all, expansion in America, the country can trust in the Congress, which with hands free will know how to second the Chief of State, as in 1812, 1845, 1861, and 1898."

This pretended speech contains most arrogant and offensive statements as to the relations which do and should exist between the United States and the Latin-American countries of these continents. I have denied over my own signature the authenticity of this speech, and my denial has been published in Tegucigalpa. I should let the matter rest there were it not that this pretended speech is being published all over Central and South America, and that some years ago, while Secretary of State, I made a visit to South America and represented the United States in many expressions of friendship toward the people of the Latin-American countries. Owing to this and to the fact that I am still connected with the Government of the United States, these expressions in this pretended speech are being treated by the people of Latin America as indicating either a change in the attitude of the people of

como en épocas coloniales. En manos de esos pueblos están sus propias suertes; pero dudo que sea buena, si no es bajo nuestro protectorado.

“ De no encontrarse el Gobierno Americano en vísperas de transición para sustituirse la presente Administración ó para ser confirmada en el poder, nadie desconoce que á estas horas ya hubieramos solucionado la complicación mexicana y la centroamericana, y dedicado preferente atención á los asuntos económicos de la Gran Antilla. Y quien dice finanzas nacionales, dice todo el sistema gubernamental y nacional. Por fortuna, y pronto, alcanzaremos posición estratégica, pués ‘ Alea jacta est,’ y quienquiera que ocupe la Casa Blanca de los tres candidatos, como están acordes en la política extranjera, y sobre todo, en la de expansión en América, puede el país confiar en el Congreso, que con manos libres sabrá secundar al Jefe del Estado, como en 1812, en 1845, en 1861 y en 1898.”

Este discurso apócrifo contiene declaraciones de las más insolentes é injuriosas por lo que toca á las relaciones que existen y deben existir entre Los Estados Unidos y los países latino-americanos de estos continentes. Yo he negado bajo mi propia firma la autenticidad de tal discurso, y se ha publicado mi negación en Tegucigalpa. Yo dejaría el asunto en tal punto, si no fuese que están publicando este discurso falso por dondequiera en La América Central y del Sur, y si no fuese, que, algunos años ha, cuando era Ministro de Estado, hice una visita á La América del Sur y como representante de Los Estados Unidos expresé nuestros sentimientos de amistad para con las naciones latino-americanas. Por esto y por el hecho que estoy todavía relacionado con el Gobierno de los Estados Unidos, las palabras en aquel discurso mentiroso se consideran, por la gente en América-Latina, como indicios, ó de un cambio de actitud de la gente

the United States or insincerity in the former expressions of friendship.

I send to the desk and ask to have the Secretary read one illustration of the way in which this paper is being used. It is an extract from an editorial published in the newspaper *El Fonógrafo*, of Maracaibo, Venezuela, on the 28th day of November, 1912.

[*El Fonógrafo*, Maracaibo, Venezuela, November 28, 1912.]

Senator ELIHU ROOT, who before the whole Spanish America protested, when he was Secretary of State, that the United States did not desire even 1 inch more of territory than that which it already possessed and that the sovereignty of our different States would be respected, and who praised us for our ability and aptness for self-government, by one stroke of the pen has blotted out those statements and other still stronger ones which he made in regard to the autonomy and independence of Spanish America. In his last speech he says: "All America down to Panama, including the islands of the Caribbean Sea, must be under our flag. We need Cuba, Mexico, and Central America as a man needs his two arms and a woman her two earrings."

In view of this flagrant contradiction, will there be anyone amongst us who will have a particle of faith in the friendly protests of the United States?

We must not entertain any illusions. It is evident that the United States not only do not intend to endeavor to prevent Europe from taking possession of Latin America, but they themselves pretend to become the arbiters of our political and commercial destinies.

MR. ROOT.—Because of the use which is being made of this publication by the enemies of the United States, by the men who wish to stir up strife and create ill feeling between the Latin-American countries and the United States, I wish to repeat here in the most formal and public manner, and to make a public record of the

en los Estados Unidos, ó de disimulación en las antedichas expresiones de amistad.

Le presento al Señor Secretario y le ruego que lea un ejemplo de la manera en que están empleando ese discurso. Es un extracto de un artículo de fondo publicado en el periódico *El Fonógrafo* de Maracaibo, Venezuela, el 28 de noviembre de 1912.

[*El Fonógrafo, Maracaibo, Venezuela, Nov. 28, 1912.*]

“El Senador Elihu Root, quien ante toda la América Española declaró cuando era Secretario de Estado, que Estados Unidos no ambicionaba ni una pulgada siquiera de territorio fuera del que ya posee y que respetaría la soberanía de nuestros pueblos á quienes elogió como aptos para gobernarse por sí mismos y llegar á su perfeccionamiento, ha borrado de una plumada tales declaraciones y otras todavía más expresivas que hizo en honor de la independencia y autonomía de Hispano-América. En su último discurso dice: ‘Toda la América hasta Panamá, inclusive las islas del Mar Caribe, deben estar bajo nuestra bandera. Necesitamos á Cuba, á Méjico, y á Centro América como un hombre necesita sus dos brazos y una mujer sus dos pies.’”

“En vista de estas flagrantes inconsecuencias, ¿habrá todavía entre nosotros quien tenga fé en las protestas de amistad de Estados Unidos?

“No hay que forjarse ilusiones; es cosa evidente que Estados Unidos no tratan ya de impedir solamente que Europa se apodere de la América Latina, sino que ellos mismos pretenden convertirse en árbitros de nuestros destinos políticos y comerciales.”

SEÑOR Root.—A causa del uso que se hace de esta publicación por los enemigos de los Estados Unidos, por los que quieren excitar disturbio y engendrar animosidad entre los países latino-americanos y los Estados Unidos yo quiero repetir aquí, del modo más formal y público, y hacer una atestación, pública, y

denials which I have already made as to the authenticity of this pretended speech.

The alleged expressions which are thus imputed to me are impudent forgeries. I never made any such speech. I never said any such things or wrote any such things. The expressions contained in these spurious and pretended extracts are inconsistent with my opinions and abhorrent to my feelings. They are the exact opposite of the views which I have expressed on hundreds of occasions during many years, both publicly and privately, officially and personally, and which I now hold and maintain. I will add, Mr. President, that they are inconsistent with the views and the feelings of the great body of the American people.

al mismo tiempo desmentir de nuevo públicamente y para siempre como ya lo he hecho en otra ocasión la autenticidad de este discurso fingido.

Las expresiones alegadas que se me atribuyen son falsificaciones insolentes. Nunca he dicho ni tampoco escrito tales cosas. Las expresiones que se hallan en esos extractos espurios y falsos son contradictorias á mis opiniones y repugnantes á mis sentimientos. Son precisamente lo contrario de las opiniones que yo he proferido cienes de veces durante muchos años no solamente en público pero también en particular, lo mismo oficial que personalmente, y que tengo ahora y afirma. Además, quiero añadir, Señor Presidente, que son contrarias á las opiniones y á los sentimientos de la gran mayoría de la nación norte-americana.

THE TIME TO TEST OUR FAITH IN ARBITRATION

By WILLIAM HOWARD TAFT
President of the United States

ADDRESS AT A LUNCHEON GIVEN IN HIS HONOR BY THE INTER-
NATIONAL PEACE FORUM, AT THE WALDORF-ASTORIA,
NEW YORK CITY, JANUARY 4, 1913

*Mr. Toastmaster, Mr. President, and Gentlemen of
the International Peace Forum:*

I rise to respond to the introduction of your Toastmaster with mingled feelings of sorrow and pleasure. I subscribe to everything that has been said with reference to the slowness with which we must expect universal peace to win its place among the nations; but once in a while there comes an opportunity that seems to be a great step forward, and when that opportunity is lost, when the step which might have been taken is not taken, the hearts of those whose hopes were high are saddened. And this meeting brings back to me the earnest, triumphant feeling that I had in my soul after I had visited almost every State in the Union, and urged the confirmation of the treaties which we had made with England and France, and then lived to find them defeated in the highest legislative body in the world, as some of the members

of that body are in the habit of calling it. The defeat was more than a mere destruction of our hope as to the progress that might be made by those treaties, because the vote carried with it a proposition which, if established as our constitutional law, relegates the United States to the rear rank of those nations which are to help the cause of universal peace. For the proposition is that the Senate of the United States may not consent with the President of the United States to a treaty that shall bind the United States to arbitrate any general class of questions that may arise in the future, but there must always be a condition that the Senate may subsequently, when the facts arise, determine whether in its discretion the United States ought to arbitrate the issue. Now I say that limitation upon the power of the United States as a Government to bind itself to obligations, to meet questions between nations with arbitration, is an obstruction not only to the progress of the United States but to the progress of the world in the matter of peace, for the reason that the nations of the world look to the United States, and properly look to the United States, as a leader in the matter of establishing peace, because we are so fortunately placed between oceans and without troublesome neighbors that we can go on without fear of consequences to establish a condition in which we shall settle every question by reference to an arbitral tribunal. It is because the nations of the world looked to us to do that that the announcement of the doctrine by the Senate of the United States, that we have no power to make an arrangement of that sort for the future, except as we adopt each particular contract to arbit-

trate each particular question, presents to those of us who hope for universal peace so great an obstruction.

INCONSISTENCY OF THE PUBLIC WITH REGARD TO PEACE

Now the difficulty about arguing is that when you get before an audience, everybody is in favor of peace. They are all in favor of peace. But when it comes to an election, the issue as to international peace does not play any part at all. The peace part of the political platform does not seem to affect anybody but the peace societies. And when you say to members of the Senate of the United States, "You are reaching a conclusion in which the people do not stand by you," they say, "Well, what of that, such an issue never affected a single vote at the election." Now we ought to make it control some votes, so that when a Senator rises in his seat and says, "The Senate has no power to make an obligation of this sort to bind our government to future policy of arbitration," we shall say, "Your constituents differ with you in that regard, and are looking for a Senator who will have a different constitutional view and who will not regard the sacredness of the Senate of the United States against binding itself and the Nation to future arbitration as more important than the attribute of full national sovereignty. If we are a nation at all, we must have power to bind ourselves as a nation to contracts that will not only uplift nations but uplift the world; and if we are to be limited by the fact that the Senate of the United States cannot confirm and cannot make a contract of that sort, then we have hobbled ourselves

and our national sovereignty in the possibility of progress toward a higher and a more Christian civilization.

A TEST OF PRINCIPLE

England made a treaty—France did, and there was no doubt about the confirmation by those governments of those treaties. If they could safely do it, why could not the United States? In what respect has it higher responsibilities and more valuable privileges to lose than those great nations as between nations? They may be expected to be as careful in the preservation of their sovereigns, and what may come by way of damage to them by future contracts; but it remains for the gentlemen who have exalted the Senate above everything to find in the Constitution something that prevents them from doing what must be done if the cause of universal peace is to prosper. But they say, “There may arise after you have made a contract some question coming within the described class that you do not want to submit, some question in which you are likely to be beaten, in which you are likely to suffer a great national loss.” Well, you cannot make omelets without breaking eggs. You cannot always have a jug-handled arrangement in international agreements. You must expect sometimes to be beaten. A sure thing among gentlemen who bet even is not regarded as the most honorable standard for making bets; and certainly one who would refuse to abide the judgment of a court unless he knew in advance that the Judge was with him, is not the kind of a litigant that we are in the habit of welcoming into courts.

ARBITRATION AND THE PANAMA CANAL

And that leads me to a reference that has been made here with reference to the Panama Canal. My friend, Mr. Clews, differs with me and with the Administration in the construction of that treaty. That is all right. I suppose questions before have arisen as to construction of contracts in which good honest people have been on both sides. Now that presents to me a very significant and useful example with respect to arbitration. A good many people are saying, "Don't arbitrate because you are going to lose. This is our own canal, and while England is making a point of it, England would not fight about it, and, therefore, why give up when you are not likely to get an arbitration that will be satisfactory to you and your view of the construction?" Even if this were correct as to probability of result, which I need not and do not admit, that is just the time when I am in favor of an arbitration. I mean that I have not gone about the country urging arbitration for the purpose of using that as a platform subject to attract the attention and approval of the audience. I hope I was more conscientious in advocating what I did advocate through the country on that head, and when I said to them that we never would have an arbitration that would be effective until we entered into an obligation that brought us into arbitration when we did not think we would win. That is the time that tests your faith in that method of settlement. Now I am willing, and indeed I would be ashamed not to be willing, to arbitrate any question with Great Britain in the construction of a treaty when we reach the exact

issue which there is between the two nations. There need not be any public doubt on that subject so far as this administration is concerned. When there is a difference that cannot be reconciled by a negotiation and adjustment, then we are entirely willing to submit it to an impartial tribunal. I am hopeful that we may get it either to settlement or to submission before the Administration, in which I have the honor to be a dissolving view, shall cease; but it may not be, because these international negotiations move slowly. But I am glad to take this opportunity in this presence to say that if the time comes, there will be no doubt about what I will do in respect to the submission of that question, as far as my power goes, to an impartial tribunal for its settlement, if that is necessary.

A STEP TOWARD INTERNATIONAL PEACE

I said that I rose with regret, and I have explained to you why. I rise also with pleasure because it is a great pleasure to believe that associations like this continue the feeling in favor of peace, and that, after all, though the defeat of those treaties in the Senate was a great disappointment, the making of them and the agitation with respect to them was a step toward the goal which we all hope to reach. My own idea was that if we could make those treaties, they would form the basis for a treaty with every other nation and the United States, and then between other nations than the United States, and finally, by interlocking and intertwining all the treaties, we might easily then come to the settlement of all international questions by a court of arbitration, a permanent, well-

established court of arbitration, whose powers would be enforced by the agreement of all nations, and into which any nation might come as a complainant and bring in any other nation as a defendant and compel that defendant nation to answer to the complaint under the rules of law established for international purposes, and under the rules of law which would necessarily with such a court grow into an international code that would embrace all the higher moral rules of Christian civilization. Now that is the ideal that I had. It is the ideal that I still cherish, and while we received a body blow in taking away our power to enter into such an obligation for an arbitral court by the view of these constitutional lawyers who would limit the power of the Senate to contract for the future because it might diminish their own power in the future, nevertheless, we may hope that as time goes on those views will be modified. We may hope that the cause of peace may command more votes than it seems to have done in the past. It is not perhaps a question for political discussion in the sense of being a party question. It is one that is bound to grow and quietly establish itself, and perhaps that influence will work even upon that rock-ribbed body, the Senate of the United States.

SHOULD THE PANAMA CANAL TOLLS CONTROVERSY BE ARBITRATED?

The diplomatic controversy between Great Britain and the United States respecting the legality of the remission of Panama Canal tolls to American vessels engaged in our coastwise trade, resolves itself into two main questions: (1) Does the phrase "of all nations" contained in Article III of the Hay-Pauncefote Treaty include the United States, or does it mean all nations *other* than the United States? (2) Is the remission of such tolls a "discrimination against any such nation" in the sense of the treaty?

OUR LEGAL OBLIGATIONS IN THE PREMISES

Article III, Rule 1, of the Hay-Pauncefote Treaty of 1901 provides:

"The canal shall be free and open to the vessels of commerce and of war *of all nations* observing these Rules, on terms of entire equality, so that *there shall be no discrimination against any such nation*, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable."

Article I of the Convention concerning Arbitration between the United States and Great Britain, signed April 4, 1908, declares:

"Differences which may arise of a *legal nature* or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration estab-

lished at The Hague by the Convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third parties."

This treaty constitutes a legal obligation. It is a solemn compact between two great nations,¹ and is as binding in law as are valid contracts between private individuals or corporations. It should be especially noted that it binds us to refer to The Hague Tribunal differences of a *legal nature*, and particularly those relating to the *interpretation of treaties*, which have not been settled by diplomacy, unless such differences affect the vital interests, independence, or honor of either State or concern the interests of third parties.

It will not be seriously maintained that the existing controversy falls within the scope of any of the exceptions above named to the application of the treaty. Certainly the difference is not one which affects the vital interests, the independence, or the honor of either

¹ " 'A treaty,' says Plumley, *umpire*, in the case of the heirs of Jean Maninat (French-Venezuelan Commission of 1902, Ralston's Report, 44, 73), 'is a solemn compact between nations. It possesses in ordinary the same essential qualities as a contract between individuals, enhanced by the weightier quality of the parties, and by the greater magnitude of the subject matter. To be valid, it imports a mutual assent, and in order that there may be such a mutual assent there must be a similar understanding of the several matters involved. It can never be what one party understands, but it always must be what both parties understand to be the matters agreed upon and what in fact was the agreement of the parties concerning the matters now in dispute.' " Cited by Ralston, *International Arbitral Law and Procedure*, p. 4.

State, as these terms are usually understood. Such a contention would be too absurd for serious argument. It may seem at first thought as though the interests of third parties were involved in the settlement of this dispute. But a little reflection will lead to the conviction that the difference is one which does not concern the interests of other States. Their interests may be *affected* (as, indeed, is often the case when there are treaties between two States), but they are not directly *concerned* in the dispute itself, which is solely between Great Britain and the United States.

Inasmuch as the Arbitration Treaty in question was only concluded for a period of five years from date of the exchange of ratifications, it has been suggested that the United States may avoid her obligations, if any, to Great Britain in the matter of the Panama tolls by refusing to renew the Convention upon its expiration in May, 1913. Even supposing that the United States Government were willing to fly in the face of public sentiment and attempt to evade the issue in this disgraceful manner, it would probably be in vain; for the controversy would be regarded as having arisen prior to the expiration of the treaty, and the United States has agreed to arbitrate *existing* differences, i. e., existing under the treaty, or while the treaty was still in force.

It has thus been demonstrated that the United States is *legally* bound to arbitrate the dispute with Great Britain respecting the legality of the remission of the Panama Canal tolls to American vessels engaged in the coastwise traffic. What are our *moral* obligations in the premises?

OUR MORAL OBLIGATIONS IN THE PREMISES

The United States has been the consistent champion of international arbitration ever since this ancient practice was revived in modern times by the Jay Treaty of 1794. Among the many arbitrations to which this country has been a party, might be indicated various important boundary disputes, the Alabama Claims and Bering Sea Controversies, and the Northeastern Fishery Question (the latter involving an interpretation of Article I of the Treaty of 1898). As a keen student and practitioner of international law has well said:

“The experience of the United States affords abundant evidence of the fact that if an international controversy is of a legal character, it is capable of adjustment by arbitration whether the claims involved are national or private; whether the issue is one of fact or of law; whether the difference is one concerning the ownership of land or the control of water; whether the honor of the State is involved, or even its most vital interests.”¹

¹ Hyde, in *2 Proceedings of the Second National Peace Congress* (1909), p. 232.

For a very complete account of the arbitrations to which the United States had been a party up to 1898, see Moore's monumental *History and Digest of International Arbitration*, in 5 vols.

See also Darby's *International Tribunals* (4th ed., 1904) for a brief digest of modern arbitrations. Out of 228 instances of “formal” arbitrations occurring between 1794 and 1901, cited by Darby, the United States was a party in 68 cases, Great Britain in 81, France in 28, Prussia or Germany in 17, and Russia in 8.

THE UNITED STATES AT THE FIRST HAGUE CONFERENCE

At the First Hague Conference of 1899 the United States was particularly active in urging arbitration and assisting in the creation of the so-called Permanent Court of Arbitration at The Hague. Our Government subscribed to the following declaration contained in the Arbitration Convention adopted at The Hague:

*“In questions of a legal nature, and especially in the interpretation or application of International Conventions, arbitration is recognized by the Signatory Powers as the most effective, and at the same time the most equitable means of settling disputes, which diplomacy has failed to settle.”*¹

THE UNITED STATES AT THE SECOND HAGUE CONFERENCE

At the Second Hague Convention of 1907 the United States was one of the most vigorous advocates of a scheme for obligatory arbitration, and the American delegation proposed a project for a Court of Arbitral Justice which, if adopted, would have transformed The Hague Tribunal, or so-called Court of Permanent Arbitration created in 1899, into a real per-

¹ Article 16, of the Convention of 1899 for the Pacific Settlement of International Disputes. At the Second Hague Conference, the following recommendation was added: “Consequently, it would be desirable that, in disputes regarding the above-mentioned questions, the Contracting Powers should, if the case arise, have recourse to arbitration, in so far as circumstances permit. Article 38 of the First Hague Convention of 1907.

manent High Court of International Justice, or Supreme Court of the Nations. Both schemes failed of adoption, but the Contracting Powers represented at The Hague declared themselves "unanimous": " (1) In admitting the principle of obligatory arbitration. (2) In declaring that certain disputes, in *particular those relating to the interpretation and application of the provisions of international agreements*, may be submitted to obligatory arbitration without restriction." A Convention providing for the establishment of a system of real international justice will probably be agreed upon at the Third Hague Peace Conference.

THE INTERPRETATION OF TREATIES

However authorities on international law may differ in their views as to the possible scope of arbitration as applied to the settlement of international disputes, there appears to be a consensus of opinion among them that interpretation of treaties is a proper subject for judicial determination. The rules for such interpretation are derived from general jurisprudence, and there is general agreement among the authorities as to the more important of these rules.¹

¹ On the *Interpretation of Treaties*, see especially: Adler, in 26 *Law Magazine Review* (5th series, pp. 62ff. and 164ff.; Bonfils, *Manuel de droit int. public* (Fauchille's 5th ed.), Nos. 835-844; 1 Cobbett, *Cases*, pp. 328-333; Hyde, in 3 *American Journal of Int. Law* (1910), pp. 46ff.; Hershey, *Essentials of Int. Public Law* (1912), § 299; 2 Fiore, *Nouveau droit int. public* (Antoine's French trans.), Nos. 1032-1046; Hall, *Int. Law* (Atlay's 6th ed.), pp. 327-334; 5 Moore, *Int. Law Digest*, §§ 763-764; 1 Oppenheim, *Int. Law* (1905), §§ 553-554; 2 Phillimore, *Commentaries upon Int. Law*, Pt. V, ch. 8, §§ 64-95; Pic, in 17 *Revue générale de droit int. public*,

"The method of interpretation consists in finding out the connection made by the parties to an agreement between the terms of their contract and the objects to which it is to be applied. This involves two steps. One is to ascertain what has been called the 'standard of interpretation'; that is, the sense in which the various terms are employed. The other is to learn what are the sources of interpretation; that is, to find out where one may turn for evidence of that sense."¹

The main purpose of interpretation is to determine the real intentions of the parties. To this end diplomatic correspondence, or interchange and expression of views leading up to the final negotiation and ratification of the treaty, would be all-important. For instance, the fact that an amendment was lost in the Senate providing that the United States should reserve the right to discriminate in respect to charges in favor of our own citizens, would not be decisive in itself. All the circumstances leading up to this vote would have to be taken into account. Besides, there are many other conditions surrounding the case which would have to be considered, such, for example, as the bearing of the Clayton-Bulwer upon the Hay-Pauncefote Treaty, more particularly whether the latter treaty was the main consideration for the abrogation of the former.

(1910), pp. 5-35; 2 Pradier-Fodéré, *Traité de droit int. public*, Nos. 1171-1188; Taylor, *A Treatise on Int. Public Law*, §§ 377-393; Vattel, *Le droit des gens* (Eng. trans. in 1859), Bk. II, ch. 17; 2 Wharton, *Digest of Int. Law*, § 133; Wheaton (Atlay's ed.), § 287a; Wilson, *Handbook of Int. Law*, ch. 7; Woolsey, *Introduction to Int. Law* (6th ed.), § 113.

¹ Hyde, in 3 *American Journal of Int. Law* (1910), p. 46.

THE QUESTIONS FOR JUDICIAL DETERMINATION

As stated at the outset, one of the main questions for judicial determination is: "Does the phrase 'of all nations' contained in Article III of the Hay-Pauncefote Treaty include the United States or does it mean all nations *other* than the United States?" There seems here to be an ambiguity of language to which well-known rules of interpretation may be readily applied. But granted that Great Britain's interpretation of this phrase is correct, there remains the question: "Is the remission of such tolls a 'discrimination against any such nation,' in the sense of the treaty," or is it perhaps a mere subsidy? Upon questions of this kind our Courts are constantly passing judgment. They are frequently called upon to decide whether a given practice, such as the granting of rebates in disguised forms, constitutes a discrimination or rebate in the sense forbidden by our statute or common law. Clearly these are questions which can and should be "settled by reference to known rules."¹

DIFFICULTIES IN THE WAY OF ARBITRATION

It has been maintained that there are practical difficulties in the way of a just and impartial arbitration of this question, arising either from defects inherent

¹ The above phrase set in quotation marks is Westlake's famous definition of a legal question. This definition has been accepted, so far as the writer is aware, by all authorities who have discussed this problem. Political differences are those which result from serious conflicts of political, social, racial, or economic interests. They are usually regarded as questions of national policy to the solution of which it is either difficult or impossible to apply judicial methods.

in the arbitral system or from the alleged impossibility of finding judges who do not belong to interested nations.

It may be admitted that so-called courts or commissions of arbitration too often, in the past, have sought a solution of the controversy submitted to them by way of compromise, rather than through the application of legal principles to the case in hand. But in the administration of international justice, during recent years, great progress has been made in the direction of substituting better methods, higher ideals, and more carefully selected judges for mixed commissions and occasional tribunals. Arbitral decisions are coming more and more to represent the application of principles of law and equity by trained jurists working in a judicial spirit instead of by arbiters animated by a mere desire to compromise the issue. In a word, in the settlement of international differences, more advanced judicial methods and a better judicial organization are taking the place of the older system of haphazard, compromising arbitration.

The defects in the arbitral system of the past have been due mainly to a want of care in the selection of judges, or to the lack of a carefully drafted agreement clearly defining the questions at issue and the rules of procedure to be observed. But none of these defects are beyond remedy, and the Hague Conferences of 1899 and 1907 have furnished us not merely with a better method of selecting judges than was previously in vogue, but also with an elaborate code of arbitral procedure which should prove adequate in most cases.

As to the alleged impossibility of finding fair and impartial judges to settle this particular disagreement,

it may again be admitted that the difficulty is a real one. But we are here dealing with a difficulty—not an impossibility. It is true that all the maritime powers of the world (including those of South America) are in a sense interested in the decision of this case. It has been suggested that "Switzerland is perhaps the only country capable of furnishing international jurists of high standing, who would probably be free from all pressure of selfish public opinion when acting as judges of the case."¹

Switzerland could undoubtedly furnish them. So could many other countries, including Great Britain and the United States. In a tribunal composed wholly of arbitrators selected by the interested Governments for the settlement of the Alaskan boundary dispute (1903), Lord Alverstone, the President of the Tribunal, sustained the contention of the United States that it should continue to enjoy a continuous strip of mainland separating the British territory from the inlets of the sea. In nearly all countries of the civilized world there are to-day international jurists who, whether engaged in the practice of law at the bar, administering it on the bench, or holding chairs in our Universities and Law Schools, possess the requisite knowledge, courage, and judicial spirit to declare and administer the law applicable to this and similar differences of a legal nature. The time has, indeed, passed when it can be seriously maintained that such disputes are incapable of judicial solution. Least of all can the United States afford to refuse to settle such a controversy whether by arbitral or judicial methods.

¹ The *Outlook* for Dec. 7, 1912.

WHO MAKES WAR

An Editorial from the London Times

The delegates of Turkey and the Balkan League were to meet yesterday in a neutral zone before the Tchataldja lines to discuss conditions for an armistice. We trust they will not separate without reaching conclusions which will enable both sides to sheathe their swords, and transfer to the council chamber issues which have been fought over long enough upon the battlefield. Though attention has been unfortunately shifted to preparations elsewhere, the preservation of the general peace of Europe still depends in large measure upon the little knot of consultants, assembled between the waiting armies. If they come to a preliminary agreement, the tension which depresses Europe will not be entirely removed, but it will be immeasurably relieved. There is reason to believe that the allies, though unable to modify their immediate demands, are disposed to treat Turkey with reasonable consideration. The brief delay in assembling

the delegates has, we may hope, brought Turkey meanwhile to a sense of the realities of her position. She has the chance of saving herself from all danger of a final humiliation, and she may well feel that by keeping her flag inviolate in her capital and its vicinity she has done all that honour required in view of the admitted defects of her military organization. She cannot build false hopes upon the precautions taken by powerful nations. Whoever may derive ultimate benefit from any extension of the area of conflict, Turkey will assuredly never do so. The old Turkish policy of profiting by the jealousies of her neighbours will not now serve her turn. In the clash of a greater conflict Turkey would unquestionably disappear from Europe altogether. Any advice which the Turkish Government may have received about the possible advantages of further resistance should be examined in the light of visible facts. Counsel offered from a distance will not replace the dominions which have been wrested from the Turks for ever. They have put their fortunes to the test, and will be wise if they abide by the result. Recent experience ought to suffice to teach KIAMIL PASHA and his colleagues the futility of relying upon hints which, whatever their object, include no thought of ultimate benefits to

Turkey. If they have not now learned that simple lesson, they have indeed fought in vain.

We are still disposed to fear that we shall not be helped towards an appreciation of the true position by accepting wholly at their face value the more reassuring statements which reach us from various Continental quarters. The public interest is best served by an acknowledgment that in many respects the international situation contains elements of undiminished gravity. We welcome the renewed assurances from Berlin that Germany is working in the cause of peace, but while amply recognizing that her own abstention from activity is the best available evidence of her sincerity, we wish that her efforts had more visible results elsewhere. "Precautions" are understandable, but the remark of our Berlin Correspondent that they may produce an untenable position from which retreat must be humiliating is applicable in more than one direction. Our Vienna Correspondent truly says that "there is no valid reason to believe war between Austria-Hungary and Russia to be inevitable, or even immediately probable." We entirely agree, but wish we could add that the absence of any valid reason was placing strict limitations upon the scope of "precautions." The same Correspondent says he

is constantly being asked:—" *Is there no means of avoiding war?*" The same question is now being asked, with some bewilderment, by millions of men in this country, who want to know what difficulties there are in the present situation which should threaten Europe with a general war, or even a collision larger than that already witnessed. *We are often told that it is the Press which makes war.* The statement has frequently been refuted, but never was there a more vivid refutation than we are seeing to-day. With hardly an exception, the Press of every great European country is earnestly and sincerely labouring for the maintenance of peace. Save in one or two unfortunate directions, there have been no bellicose incitements, no wild fulminations meant to stir up public wrath. *We believe it may be said with just as much truth that most of the Monarchs of Europe are now, as always, equally undesirous that the peace should be further broken.*

In its attitude towards the present crisis the Press of Europe has undoubtedly given a faithful reflection of the general trend of public opinion. There are no irresistible waves of popular feeling, no gusts of angry passion such as sweep whole peoples into war before they are well aware of what they are doing. There

is no great nation in Europe which today has the least desire that millions of men should be torn from their homes and flung headlong to destruction at the bidding of vain ambitions. The Balkan peoples fought for a cause which was peculiarly their own. They were inspired by the memories of centuries of wrong which they were burning to avenge. The larger nations have no such quarrel, unless it is wilfully manufactured for them. The common sense of the peoples of Europe is well aware that no issue has been presented which could not be settled by amicable discussion. In England men will learn with amazement and incredulity that war is possible over the question of a Servian port, or even over the larger issues which are said to lie behind it. Yet that is whither the nations are blindly drifting. *Who, then, makes war? The answer is to be found in the Chancelleries of Europe, among the men who have too long played with human lives as pawns in a game of chess, who have become so enmeshed in formulas and the jargon of diplomacy that they have ceased to be conscious of the poignant realities with which they trifle.* And thus will war continue to be made, until the great masses who are the sport of professional schemers and dreamers say the word which shall

bring, not eternal peace, for that is impossible, but a determination that wars shall be fought only in a just and righteous and vital cause. If that word is ever to be spoken, there never was a more appropriate occasion than the present; and we trust it will be spoken while there is yet time.

PREFATORY NOTE

THE following list of books, periodicals, and pamphlets is a selection from the large literature of internationalism made for the purpose of assisting librarians, teachers, and others to follow the progress of the movement for international peace. Books intended to arouse and foster sentiment as well as careful studies of underlying principles have been included.

The material has been selected chiefly from the fields indicated by the three Divisions of the Carnegie Endowment for International Peace, viz., Intercourse and Education; Economics and History; and International Law.

For the benefit of public libraries whose funds are limited, an asterisk has been placed before the titles of books, etc., which should be acquired first as a nucleus for a larger collection; and it should be noted that a considerable amount of useful literature can be had without cost by writing to the addresses given under the heading Pamphlets.

A library might well begin its collection with the following publications:

1. Year-book of the Carnegie Endowment for International Peace.

2. The Peace Year-book.
3. Pamphlets issued by
 - (a) American Association for International Conciliation.
 - (b) American Peace Society.
 - (c) World Peace Foundation.
 - (d) Bureau International Permanent de la Paix.
 - (e) Verband für internationale Verständigung.
4. Periodicals.
 - (a) Advocate of Peace, Washington, D. C.
 - (b) The Arbitrator, London, England.
 - (c) Die Friedens-warte, Berlin, Germany, and Vienna, Austria.
 - (d) La Paix par le Droit, Paris, France.

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INTERNATIONALISM

A selected list of books, pamphlets, and periodicals

BIBLIOGRAPHY

*JORDAN, DAVID STARR, and KREHBIEL, EDWARD B.
Syllabus of lectures on international conciliation given at Leland Stanford Junior University. Boston, World Peace Foundation, 1912.
8°. 180 p. \$1.00
Outline of thirty-seven lectures, with references to books and periodical articles under each subject.

*MONTHLY BULLETIN of books, pamphlets, and magazine articles dealing with international relations. Association for International Conciliation, 407 West 117th Street, New York. Free

U. S. LIBRARY OF CONGRESS.
List of references on international arbitration. Washington, Government Printing Office, 1908.
8°. 151 p. \$0.20

BROOKLYN PUBLIC LIBRARY.
International peace. A list of books with references to periodicals in the library. 1908.
16°. 53 p. Free

***A LIBRARY OF PEACE AND WAR.** With an introduction by Francis W. Hirst. London, Speaker Publishing Co., Ltd. (1907).

8°. 57, viii p.

1s.

Four lists submitted in competition for a prize for the best hundred books on peace and war.

LA FONTAINE, HENRI.

Bibliographie de la paix et de l'arbitrage international. Tome 1: Mouvement pacifique. Bruxelles, Institut international de bibliographie, 1904.

8°. xiii p., 264 l., 265-280 p.

5 fr.

Includes works published before May 1, 1903.

GENERAL

***PERRIS, GEORGE H.**

A short history of war and peace. New York, H. Holt & Co., 1911.

12°. vi, 256 p.

\$0.50

“The book is extremely interesting and instructive and contains the condensation of an immense amount of information in a small space, and—what is rarer—in a very readable form.”—*Annals of the American Academy of Political and Social Science*, September, 1911.

FRIED, ALFRED H.

Handbuch der Friedensbewegung. Erster Teil. Grundlagen, Inhalt und Ziele der Friedensbewegung. Zweite auflage. Leipzig, Reichenbach'sche Verlagsbuchhandlung Hans Wehner, 1911.

8°. xii, 269 p.

3m.

Author is editor of *Die Friedens-warte*.

THE ARBITER IN COUNCIL. (By F. W. Hirst.) New York, The Macmillan Co., 1906.

8°. vi, 567 p.

\$2.25

Report of an imaginary seven days' conference on war and peace. "The subjects discussed are the causes and consequences of war, modern warfare, private war and the duel, cruelty, the federation of the world, arbitration, the political economy of war, and Christianity and war."—*Book Review Digest*.

*BUTLER, NICHOLAS MURRAY.

The international mind; an argument for the judicial settlement of international disputes. New York, Charles Scribner's Sons, 1912.

12°. xii, 121 p.

\$0.75

"The international mind is nothing else than that habit of thinking of foreign relations and business, and that habit of dealing with them, which regard the several nations of the civilized world as friendly and coöperating equals in aiding the progress of civilization, in developing commerce and industry and in spreading enlightenment and culture throughout the world."

CHANNING, WILLIAM E.

Discourses on war. With an introduction by Edwin D. Mead. Boston, Ginn & Co., 1903.

8°. lxi, 229 p.

\$0.60

"The present time is peculiarly one when the press and pulpit and people of England and America need to heed the lessons which Channing taught."—EDWIN D. MEAD.

CHITTENDEN, HIRAM M.

War and peace. A present duty and a future hope.
Chicago, A. C. McClurg & Co., 1911.

8°. 273 p. \$1.00

"A thoughtful, well-reasoned and comprehensive discussion of the evils of war and a standing army, by an officer of the U. S. Army."—*A. L. A. Book-list*, May, 1911.

FRIED, ALFRED H.

The German Emperor and the peace of the world.
With a preface by Norman Angell. New York,
Hodder and Stoughton (1912).

8°. xx, 214 p. \$2.00

The author, jointly with Prof. T. M. C. Asser, received the Nobel Peace Prize in 1911.

"Mr. Fried . . . is entirely within the truth when he sets forth the German Emperor as the well-convinced friend of peace."—BENJAMIN IDE WHEELER,
N. Y. Times Review of Books, December 22, 1912.

*GRANE, WILLIAM L.

The passing of war. A study in things that make for peace. 2d ed. London, Macmillan & Co., 1912.

8°. xliv, 302 p. \$2.50

Seeks to combine the moral argument for peace with recent economic arguments, in order to give them strength and inspiration.

GULLIVER, LUCILE.

The friendship of nations. Boston, Ginn & Co., 1912.

8°. 293 p. \$0.60

For boys and girls.

LYNCH, FREDERICK.

The peace problem. The task of the twentieth century. New York, F. H. Revell Co., 1911.

8°. 127 p. \$0.75

"We especially recommend this prophetic volume to Christian ministers and to students in American colleges and universities."—*Independent*, April 27, 1911.

MEAD, LUCIA A.

Swords and ploughshares; or, The supplanting of the system of war by the system of law. With a foreword by Baroness von Suttner. New York, G. P. Putnam's Sons, 1912.

12°. xiv, 249 p. \$1.50

"Her argument against the spread of militarism is prompted not only by a high ethical conception of the relation of man to man and of nation to nation, but by economic expediency and a common-sense view of the possibilities of development for a nation if emancipated from the debasing fear of its neighbor and the drain on its resources for the maintenance of armies and navies in competition with the growth of the military equipment of its rivals."—*Publishers' Weekly*, December 14, 1912.

AMERICAN SOCIETY FOR JUDICIAL SETTLEMENT OF INTERNATIONAL DISPUTES. Proceedings of second national conference. Cincinnati, Ohio, November 7-8, 1911. Edited by Theodore Marburg, Secretary, Baltimore, Md.

8°. xii, 216 p. \$0.50

PROCEEDINGS OF THE THIRD AMERICAN PEACE CONGRESS, held in Baltimore, Md., May 3 to 6, 1911.

Edited by Eugene A. Noble, chairman of publications committee.

8°. xxxviii, 504 p.

\$0.75

RACIAL ADJUSTMENT

GRAHAM, JOHN W.

Evolution and empire. London, Headley Brothers (1912).

12°. 222 p.

\$0.60

"Granting that war had much to do with hammering out and building nations, Mr. Graham demonstrates that 'the world has in reality outgrown all fitness for war.'"*—Advocate of Peace*, October, 1912.

JORDAN, DAVID STARR.

The Human Harvest. A study of the decay of races through the survival of the unfit. Boston, American Unitarian Association, 1912.

12°. 122 p.

\$1.00

Discusses the "effect of military selection on the breed of men."

KELLOGG, VERNON L.

Beyond war. A chapter in the natural history of man. New York, H. Holt & Co., 1912.

12°. x, 172 p.

\$1.00

"War to the biologist seems, above all else, stupid. It is so racially dangerous. It so flies in the face of all that makes for human evolutionary advance, and is so utterly without shadow of serious scientific reason for its maintenance." "To the pacifist, the book should prove thoroughly satisfactory."—D. P. MYERS.

PAPERS ON INTER-RACIAL PROBLEMS communicated to the first Universal Races Congress, held at the University of London, July 26-29, 1911. Edited by G. Spiller. Boston, The World's Peace Foundation, 1911.

8°. xlvi, 485 p.

Non-political discussions of the world's races with respect to civilization and the promotion of international friendship. "We commend this collection of essays to the careful attention of a multitude of people, statesmen, publicists, social reformers, on the one hand, and of that large class in our own country who have taken it as a cardinal and undisputed fact that the Caucasian race is the natural king of races, and that Anglo-Saxondom is the crown upon its head."—*Independent*, Sept. 21, 1911.

WEALE, B. L. P., i. e. B. L. SIMPSON.

The conflict of colour. The threatened upheaval throughout the world. New York, The Macmillan Co., 1910.

8°. ix, 341 p. \$2.00

A study of world politics and racial contrasts, emphasizing tendencies which must be overcome. The author believes "that certain forces are being ranged against one another as they have never been before, and feels that a consideration of this danger, a discussion of the elements of the struggle which he fears is imminent, should interest every member of the human race."—*Book Review Digest*.

ECONOMICS

*ANGELL, NORMAN, *i. e.*, RALPH LANE.

The great illusion. A study of the relation of military power in nations to their economic and social advantage. New ed. New York, G. P. Putnam's Sons, 1912.

8°. xvi, 428 p. \$1.00

Already published in eighteen languages. "No piece of political thinking has in recent years more stirred the world which controls the movement of politics."—*London Nation*. "Nothing that has ever been written has come so near proving successfully the futility of all great wars."—SIR HARRY JOHNSTON.

ANGELL, NORMAN, *i. e.*, RALPH LANE.

Peace theories and the Balkan war. London, Horace Marshall & Son, 1912.

8°. 141 p. 1s. 6d.

A reply to those critics who claim that the Balkan war proves the fallacy of the doctrines of "The Great Illusion."

ANITCHKOW, MICHAEL.

War and labour. Westminster, Archibald Constable & Co., 1900.

8°. xii, 578 p. 18s.

Argues that social and industrial coöperation will prevent war.

*BLOCH, JEAN DE.

The future of war in its technical, economic and political relations. Trans. by R. C. Long, and

with conversation with the author by W. T. Stead, and an introduction by Edwin D. Mead. Boston, Ginn & Co., 1903.

8°. 1xxix, 380 p. \$0.65

Translation of volume 6 of Bloch's Future of War. Devoted largely to the financial and economic consequences of war.

FERRERO, GUGLIELMO.

Militarism. A contribution to the peace crusade. Boston, L. C. Page & Co., 1903.

8°. 320 p. \$3.50

"The creditor nations are to-day in the same condition that countries ruling by force of arms found themselves in in ancient civilization. . . . The duty of every well-meaning man to-day is to diffuse knowledge of the fact that war no longer serves the purpose it once served in the struggle for civilization."

JORDAN, DAVID STARR.

Unseen empire: a study of the plight of nations that do not pay their debts. Boston, American Unitarian Association, 1912.

12°. 211 p. \$1.25

"In this book I have tried to tell in part the story of the bondage of the nations due to the cost of war and of war preparation."

*NOVICOW, JACQUES.

War and its alleged benefits. Translated by T. Seltzer. New York, H. Holt & Co., 1911.

16°. 130 p. \$1.00

"The remedy for war the author finds in the propagation of the faith that the real struggle neces-

sary for the welfare of mankind is against the forces of nature, and that war, which is a struggle between two or more parts of mankind involving destruction of a part of the general resources, is inevitably injurious both to the parties concerned, and to society at large."—*American Journal of International Law*, July, 1911.

INTERNATIONAL LAW

OPPENHEIM, LASSA.

International law. 2d ed. New York, Longmans, Green & Co., 1912.

8°. 2 v. \$12.50

"Professor Oppenheim . . . finds the source of international law in custom and treaties, which express the implicit and explicit consent of nations."—*American Journal of International Law*, October, 1912.

*WILSON, GEORGE G.

Handbook of international law. St. Paul, Minn., West Publishing Co., 1910.

8°. xxiii, 623 p. \$3.75

"The present volume embodies fully the results of recent conventional changes and is in all respects fully abreast of the times. . . . I know of no other book which puts before the student in such concrete form the existing rules of international law."—JOHN H. LATANÉ, *American Journal of International Law*, October, 1912.

TREATIES, CONVENTIONS, INTERNATIONAL ACTS, protocols and agreements between the United States of

America and other powers, 1776-1909. Washington, Government printing office, 1910.

8°. 2 v. \$2.50

Senate Document No. 357, 61st Congress, 2d session.

HOLLS, FREDERICK W.

The Peace conference at the Hague, and its bearings on international law and policy. New York, The Macmillan Co., 1900.

8°. xxvi, 572 p. \$2.25

Author was Secretary of the United States delegation to the First Hague Conference.

LAWRENCE, THOMAS J.

International problems and Hague conferences. London, J. M. Dent & Co., 1908.

12°. x, 210 p. 3s. 6d.

Untechnical interpretation.

*HULL, WILLIAM I.

The two Hague conferences and their contributions to international law. Boston, Ginn & Co., 1908.

8°. xiv, 516 p. \$1.65

The author "has analyzed and compared the work of the two conferences by topics and sub-topics, so that we are enabled at a glance to see what advance on any special point—disarmament, arbitration, naval warfare, land warfare, etc.—the conference of 1907 marked over its predecessor."—*Nation*.

SCOTT, JAMES BROWN.

The Hague peace conferences of 1899 and 1907.
Baltimore, Johns Hopkins Press, 1909.

8°. 2 v. \$5.00

Vol. 1, Conferences; vol. 2, Documents.

Contains full text of conventions. Author was a United States delegate to the second conference.

"Should be part of the equipment of college, reference and large public libraries."—*A. L. A. Book-list.*

REINSCH, PAUL S.

Public international unions, their work and organization. A study in international administrative law. Boston, World Peace Foundation, 1911.

8°. viii, 189 p. \$1.65

Examples of coöperation which foreshadow international organization. "A convincing statement that international law has entered upon a new period of growth, and that a new international law will come into being in order to meet the new needs of the international community."—J. B. SCOTT, *American Journal of International Law*, July, 1911.

BRIDGMAN, RAYMOND L.

World organization. Boston, Ginn & Co., 1905.

8°. vi, 172 p. \$0.60

"The affirmation here made is that mankind is one, and that above the sovereignty of nations is the sovereignty of the world as a single body."

HILL, DAVID JAYNE.

World organization as affected by the nature of the modern state. New York, Columbia University Press, 1911.

8°. ix, 214 p. \$1.50

"A learned and theoretical disquisition, invaluable to students of international law, statesmen and peace advocates."—*Independent*, September 14, 1911.

BRIDGMAN, RAYMOND T.

The first book of world law. A compilation of the international conventions to which the principal nations are signatory, with a survey of their significance. Boston, Ginn & Co., 1911.

8°. v, 308 p. \$1.65

Treaties in force only, with historical comment.

"The intended and resulting effect is to show to how considerable an extent world organization and world harmony of action have already been realized."—*American Political Science Review*.

*TRUEBLOOD, BENJAMIN F.

The federation of the world. 3d ed. Boston, Houghton, Mifflin & Co., 1908.

12°. x, 227 p. \$1.00

A readable discussion of underlying principles.

"The subject treated is not primarily that of peace and war. . . . The aim is to show that the nature of man and of society is such as to indicate that a general federation of the race ought to exist, that war ought to be abolished, that the whole of humanity must move together in harmonious co-operation if it ever fulfills its destiny."

*DARBY, W. EVANS.

International arbitration. International tribunals; a collection of the various schemes which have been propounded; and of instances in the nineteenth century. 4th ed. London, J. M. Dent & Co., 1904.

8°. xii, 927 p. \$3.50

A useful handbook.

MOORE, JOHN BASSETT.

History and digest of the international arbitrations to which the United States has been a party. Washington, Government printing office, 1898.

8°. 6 v.

Vol. 1-2, History; vol. 3-4, Digest; vol. 5, Domestic commissions, historical notes, treaties; vol. 6, Maps.

Prof. Moore is preparing a new edition of this work to be published by the Carnegie Endowment for International Peace.

MORRIS, ROBERT C.

International arbitration and procedure. New Haven, Yale University Press, 1911.

12°. xii, 238 p. \$1.45

Briefly sketches the progress of arbitration from Herodotus to the Hague Conferences.

“Mr. Morris has shown the progress that has been made toward the final hope of all the advocates of arbitration, to wit, an arbitral court, sustained by the agreement of all nations.”—President TAFT.

RALSTON, JACKSON H.

International arbitral law and procedure, being a résumé of the procedure and practice of inter-

national commissions, and including the views of arbitrators upon questions arising under the law of nations. Boston, Ginn & Co., 1910.

8°. xx, 352 p. \$2.20

"An examination of this work will demonstrate that a study of arbitral sentences and the reasons underlying them will furnish information and guidance upon many points as to which up to the present time the text writers are comparatively silent. . . . In other words, in this branch of legal science, tribunals in their conclusions are in advance of the speculations of the scholars."

FOSTER, JOHN W.

American diplomacy in the Orient. Boston, Houghton, Mifflin & Co., 1903.

8°. xvi, 498 p. \$3.00

FOSTER, JOHN W.

A century of American diplomacy, being a brief review of the foreign relations of the United States, 1776-1876. Boston, Houghton, Mifflin & Co., 1901.

8°. xvi, 497 p. \$3.50

FOSTER, JOHN W.

The practice of diplomacy as illustrated in the foreign relations of the United States. Boston, Houghton, Mifflin & Co., 1906.

8°. vi, 401 p. \$3.00

Three works which show the influence of the United States in elevating ideals of international conduct.

MOORE, JOHN BASSETT.

American diplomacy; its spirit and achievements.

New York, Harper & Brothers, 1905.

8°. xiv, 286 p. \$2.00

The record of the achievements of the United States "in the promulgation of liberal and humane doctrines is one in which no American need hesitate to own a patriotic pride."

BIOGRAPHICAL

EVANS, HOWARD.

Sir Randal Cremer, his life and work. Boston, Ginn & Co., 1910.

8°. 356 p. \$1.40

Cremer founded the International Arbitration League in 1870. He was awarded the Nobel Peace Prize in 1903.

FOSTER, JOHN W.

Diplomatic memoirs. Boston, Houghton, Mifflin Co., 1909.

8°. 2 v. \$6.00

A record of 34 years devoted to international affairs.

WHITE, ANDREW D.

Seven great statesmen in the warfare of humanity with unreason. New York, The Century Co., 1910.

8°. xii, 552 p. \$2.50

Grotius, p. 55-110.

"Peculiarly interesting and suggestive and especially worthy to be studied by those who aspire to take an effective and noble part in public life."—*Review of Reviews*, October, 1910.

*SUTTNER, BERTHA VON.

Memoirs. . . . The records of an eventful life.
Authorized translation. Boston, Ginn & Co., 1910.

8°. 2 v. \$4.00

"The chapters of these memoirs which deal with the cause, the peace congresses, and her relations with the leaders of the peace movement will have permanent historical value."—*Book Review Digest*.

FICTION

JOHNSTON, MARY.

Cease firing. Boston, Houghton, Mifflin Co., 1912.
8°. x, 457 p. \$1.40

A story of the American Civil War.

"The peace societies have no literature in their possession comparable with this book as an indictment of war."—*Outlook*, December 7, 1912.

*SUTTNER, BERTHA VON.

Lay down your arms. The autobiography of Martha von Tilling. 2d ed. New York, Longmans, Green & Co., 1906.

12°. xii, 435 p. \$0.75

For writing this book the author received the Nobel peace prize in 1905. The sequel to *Die Waffen Nieder* is entitled *Martha's Kinder*.

TOLSTOI, LEO N.

War and peace. New York, E. P. Dutton & Co.,
1911.

16°. 3 v. \$0.35 each

ZANGWILL, ISRAEL.

The War God. New York, The Macmillan Co.,
1912.

12°. x, 164 p. \$1.00

"A five-act tragedy whose symbolism typifies a
struggle between war and peace."—*Book Review
Digest*.

ZOLA, ÉMILE.

The downfall (La Débâcle). A story of the horrors
of war. London, Chatto & Windus, 1892.

8°. xiv, 534 p. 3s. 6d.

The Franco-German war, 1870.

YEAR-BOOKS

*CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

Year-book for 1911. Washington, D. C., 2 Jackson
Place.

8°. Free

*THE PEACE YEAR-BOOK. Edited by C. Heath. Lon-
don, The National Peace Council.

12°. 2s.

Articles, statistics, peace congresses, international
organizations, bibliography, biographies.

ANNUAIRE DE LA VIE INTERNATIONALE. Fondé par A. H. Fried et publié par les soins de l'Institut international de bibliographie et de l'Institut international de la paix. Bruxelles, Office central des institutions internationales.

Series I, 1905-7, 3 v., 12°. Series II, 1908-9—. v. 1—. 8°. Comprehensive and monumental. Last vol. 1,370 p. 20 fr.

*ANNUAIRE DE L'UNION INTERPARLEMENTAIRE. Première année, 1911. Publié par Chr. L. Lange. Bruxelles, Misch & Thron.

8°. 5 fr.

Succeeds the monthly review, *La Conférence interparlementaire*.

ANNUAIRE DU MOUVEMENT PACIFISTE. Berne, Bureau international permanent de la paix.

8°. 1 fr.

ALMANACH DE LA PAIX. Paris, Plon-Nourrit & Cie.

8°. .25 fr

Issued by Association de la Paix par le Droit.

PERIODICALS

THE AMERICAN JOURNAL OF INTERNATIONAL LAW. Washington, American Society of International Law.

Quarterly. \$5.00

*ADVOCATE OF PEACE. Washington, The American Peace Society.

Monthly. \$1.00

*THE ARBITRATOR. Organ of the International Arbitration League. London, 183 St. Stephen's House, Victoria Embankment, S.W.

Monthly. 12d.

*BULLETIN OF THE PAN AMERICAN UNION. Washington, D. C.

Monthly. \$2.00

Editions also in Spanish, Portuguese and French.

CONCORD. Organ of the International Arbitration and Peace Association. London.

Monthly. 12d.

THE HERALD OF PEACE AND INTERNATIONAL ARBITRATION. The organ of the Peace Society. London, 47 New Broad Street, E.C.

Quarterly. 1s. 6d.

*INTERNATIONAL CONCILIATION. Published monthly by the American Association for International Conciliation, 407 West 117th Street, New York City. Free

THE PEACE MOVEMENT. The fortnightly organ of the International Peace Bureau in Berne, Switzerland.

10 fr.

Published also in French and German. Formerly *Correspondance Bimensuelle*.

*DIE FRIEDENS-WARTE FÜR ZWISCHENSTAATLICHE ORGANISATION. Herausgeber: Alfred H. Fried. Berlin, Pass & Garleb, Bülowstrasse, 66.

Monthly. 6.60 m.

*LA PAIX PAR LE DROIT. Revue de la paix, paraissant deux fois par mois. Nimes, 10 Rue Monjardin.

3.75 *fr.*

Organ of Association de la Paix par le Droit, founded 1887.

LA VIE INTERNATIONALE. Revue mensuelle des idées, des faits et des organismes internationaux. Bruxelles, Office Central des Associations Internationales. \$5.00

LA VITA INTERNAZIONALE. 21 Portici Settentrionali, Milan.

Bi-monthly. 12.50 *l.*

*PAMPHLETS

VALUABLE PAMPHLETS are published by the following organizations:

American Association for International Conciliation, 407 West 117th Street, New York City.

Issued monthly with the title, "International Conciliation"; the present publication is the sixty-fourth number.

American Peace Society, Colorado Building, Washington, D. C.

American Society for Judicial Settlement of International Disputes, The Preston, Baltimore, Md.

Pamphlets in a series, entitled "Judicial Settlement of International Disputes."

World Peace Foundation, 29A Beacon Street, Boston.

National Peace Council, 67 St. Stephen's House,
Westminster, S.W.

World Friendship Society and British Branch of the
Conciliation Internationale; Sir T. V. Strong,
196-7 Upper Thames Street, London, E.C.

Bureau International Permanent de la Paix, Berne,
Switzerland.

Conciliation Internationale, 78 bis, Avenue Henri
Martin, Paris XVI.

Office Central des Institutions Internationales.
Palais des Beaux-Arts, 3 bis, rue de la Regence,
Bruxelles.

Verband für internationale Verständigung, Lieb-
frauenstrasse 22, Oberursel bei Frankfurt a. M.

Verlag der Friedenswarthe, Bülowstrasse 66, Ber-
lin W.

Pamphlets in a series, entitled "International Or-
ganisation."

THE INTERPARLIAMENTARY UNION

On October 31, 1887, a delegation of British Members of Parliament and of leaders of Trades Unions were introduced to President Cleveland at the White House by Mr. Andrew Carnegie. They had come to submit to the President an address, signed by 234 Members of Parliament, in favor of a treaty of arbitration between Great Britain and the United States. At that time such treaties between states were very rare; no European country had as yet signed a single such document, nor had the United States. Some South American States only were parties to them.

This movement which William Randal Cremer had initiated in England found its echo in America, and during the legislative session of 1887-1888 Congress was flooded with memorials, some containing the names of very prominent persons, in favor of international arbitration. Nevertheless, the project of an Anglo-American treaty failed; the only outcome of the movement was the vote by the Senate in 1890 of a resolution favoring general arbitration treaties.

FOUNDATION OF THE UNION

This effort, however, was very important: out of it the INTERPARLIAMENTARY UNION was born.

Cremer had learned that FRÉDÉRIC PASSY, leader of the Peace Party in the French Chamber, had already voiced the cause of arbitration there, and that he had found considerable support. In 1888 Cremer opened communications with Passy, and on October 31, 1888, exactly a year after the interview at the White House, a meeting was held in Paris, attended by twenty-five French and nine British parliamentarians. The pro-

gramme of the meeting was strictly limited to the support of the efforts of the last years in favor of arbitration treaties between France and the United States and between Great Britain and the United States. Nobody was sanguine enough to dream even of an Arbitration Treaty between France and Great Britain.

The next meeting, which is considered as the first INTERPARLIAMENTARY CONFERENCE properly speaking, took place, again in Paris, in the following year, during the World's Fair, on June 29 and 30, 1889. It was really international in character: ninety-six members of nine different parliaments attended; fifty-five Frenchmen, thirty British, five Italians, while each of the following nations was represented by one member: Belgium, Denmark, Hungary, Liberia, Spain and the United States. The Conference was opened by JULES SIMON and presided over by FRÉDÉRIC PASSY.

In one of its resolutions the Conference gave the fundamental reason of the interparliamentary institution: "The Conduct of Governments tending to become more and more the expression only of ideas and sentiments voiced by the body of citizens, it is for the electors to lead the policy of their country in the direction of justice, of right and of the brotherhood of nations."

DEVELOPMENT OF THE UNION

Up to the present time (end of 1912) the members of the Union have met seventeen times in Conference: twice in Paris (1889 and 1900), twice in London (1890 and 1906), four times at Brussels (1895, 1897, 1905 and 1910), once in each of the following European capitals: Rome (1891), Berne (1892), The Hague (1894), Budapest (1896), Christiania (1899),

Vienna (1903), Berlin (1908). Once the Interparliamentarians have crossed the Atlantic to meet on American soil at St. Louis and in Washington in 1904. In September, 1912, the 17th Conference was held at Geneva, in Switzerland.

WORK OF THE UNION

The parliamentarians that founded the Union in Paris in 1889 very narrowly circumscribed its object through its name. It was called the INTERPARLIAMENTARY CONFERENCE FOR INTERNATIONAL ARBITRATION, another proof of the power of concentration of its founder, Randal Cremer. There is no doubt that through this rigid exclusion of utopian aims, through the accentuation of one practical aim, the institution appealed to the common sense of hard-headed politicians, and it was thus possible, during the first difficult years, to win the confidence and adhesion of men who otherwise would certainly have held aloof. But as the Union progressed in numbers and its influence extended, other problems than those of arbitration were discussed, all, however, relating to the progressive evolution and organization of the Society of Nations. The Conferences have passed resolutions regarding neutrality and the laws of war. They have several times declared in favor of the immunity of private property at sea during war, a reform so ardently demanded by the common interests of peaceful commerce. Two Conferences have adopted a *voeu* in favor of the elaboration of a Code of International Law. Some of them have discussed the problems relating to the growth of international armaments.

But up to the present time the Interparliamentarians have always limited themselves to the discussion of

questions relating to International Law; they have never discussed economic questions and they have always expressly refused to pronounce themselves on problems of a political nature, in which the interests of different states might be opposed.

The latter principle is one inevitably bound up with the character of the institution itself. Because the Union is composed of responsible statesmen, belonging to nations whose legitimate interests may from time to time be in conflict, it would inevitably compromise its own authority if it raised its voice for or against this or the other practical solution of international conflicts. The Interparliamentary gatherings have, without exception, always restricted themselves to the advocacy of peaceful and judicial methods for the settlement of conflicts.

THE PERMANENT COURT OF ARBITRATION

The two first Interparliamentary Conferences had only treated one side of the problem of arbitration, namely, the conclusion of treaties stipulating the obligation for the states to submit conflicts to arbitration.

The Rome Conference, in 1891, tackled another side of the problem: it invited the Interparliamentary Committees to put on the agenda of the following Conference the institution of an Arbitration Court. This would mean important progress in two respects: from a practical standpoint, the recourse to arbitration would be facilitated if it were not necessary to organize the tribunal while the conflict was still exasperating the minds on both sides, and from a theoretical standpoint the existence of such a Court would show the state of progress of the society of nations. Indeed, it is only by the permanent existence of a jurisdiction

resting on law that a society manifests itself as legally organized.

The question occupied the three following conferences.

The Brussels Conference, of 1895, on the proposal of two members whom the Union still rejoices to see at its head, the HON. PHILIP STANHOPE, now LORD WEARDALE, and the venerable Belgian Senator AUGUSTE HOUZEAU DE LEHAIE, voted a draft convention in fourteen articles, which was communicated to the different Governments.

This draft reposed on the following principles:

1. National sovereignty remains inalienable and inviolable;
2. The adherence of each Government to the constitution of an International Permanent Court should be purely voluntary;
3. All adherent states should be on a footing of perfect equality before the International Permanent Court;
4. The judgments of the Permanent Court should have the form of an executive sentence.

Four years later, in 1899, the first Peace Conference was convened at The Hague. The great Convention voted by the Conference "For the Pacific Settlement of International Disputes" to a large extent rests on the convention drafted by the Interparliamentary Union. Thus it places all states on a footing of perfect equality with respect to the Arbitration Court created by the Convention.

This was a real victory for the ideas championed by the Union. It has even been said that the calling of the Hague Conference itself was due to the inter-

parliamentary movement, especially to the Budapest Conference in 1896.

CALLING OF THE SECOND HAGUE CONFERENCE

And this explains why the St. Louis Conference in 1904, which was presided over by Mr. RICHARD BARTHOLDT, Member of Congress, and Founder of the American Group of the Union, took the initiative to solicit the convocation of another Peace Conference.

Mr. THEODORE E. BURTON, then member of Congress, now United States Senator, introduced the question at St. Louis. In the resolution voted on his motion, there are three interesting points to be noted. Two subjects are indicated as worthy of discussion at the proposed Conference: 1, The conclusion of arbitration treaties between the states represented, stipulating their obligation to have recourse to arbitration; 2, the periodicity of the international congresses, which would thus form a legislative institution within the society of nations, by the side of the judiciary created by the first Hague Conference.

Thirdly, the resolution ends with a respectful request to the President of the United States of America to take the initiative of calling the conference.

On the 24th of September, 1904, the Secretary General of the Union, MR. GOBAT of Switzerland, on behalf of the members of the Interparliamentary Conferences, transmitted the resolution to PRESIDENT ROOSEVELT at the White House in Washington. Mr. Roosevelt ended his reply to the address with the following words: "At an early date I shall issue the call for the conference you request."

This initiative produced, three years later, the meeting of the second Hague Conference.

MODEL ARBITRATION TREATY

In the meantime the Union was actively occupied with the framing of the programme for this new Conference. This work entirely filled the time of the two general assemblies, at Brussels in 1905, and at London in 1906. On a special point the London Conference voted a draft of an international convention and took a new step forward in the arbitration question, still the chief object of the Union. Indeed, if the Court instituted by the first Hague Conference should be able to exert all its usefulness, it was necessary that the states engaged themselves to have recourse to arbitration for certain classes of conflicts.

The model arbitration treaty was originally due to the initiative of MR. RICHARD BARTHOLDT. It was voted by the London Conference on the remarkable report submitted, on behalf of a special Commission, by His Excellency ERNEST DE PLENER, late Austrian Minister of Finance. At the Hague Conference of 1907 it was adopted by the Portuguese Delegates and by them submitted to the Arbitration Commission. Around this draft convention were fought the most prolonged struggles of the conference. During these debates the draft was limited in certain respects, but considerably extended in others. At first received very coolly, it found successively a more and more numerous following, and at last it united the votes of thirty-two states, out of the forty-four represented at The Hague.

This was not sufficient. The principle of the necessity of a unanimous vote, which is regularly followed in diplomatic conferences, again prevailed, as the minority refused to give way. The Conference passed a unanimous declaration, however, in favor of the

principle of obligatory arbitration: "Some conflicts, especially those concerning the interpretation and application of international conventions, are liable to be submitted to obligatory arbitration without any restriction."

THE BERLIN CONFERENCE AND THE ORGANIZATION OF THE UNION

The Union could point to a moral victory: at The Hague the majority had rallied to its standpoint; but it had not found unanimous favor. In order to gain a complete victory it was necessary to redouble the efforts and to concentrate them.

From this standpoint the 15th Interparliamentary Conference should be looked at. It met at Berlin in September, 1908, and was of particular importance for the organization of the Union.

During the first years the Union had no permanent organization. The Conferences invited their members to form "Interparliamentary Committees" in each country. This is the origin of the present groups. At the Rome Conference, in 1891, the foundation of a Central Office was discussed, and the creation of a provisional secretariat was decided upon. A final organization was not instituted until the Berne Conference, in 1892. It founded the Interparliamentary Bureau, which should serve as Central Office of the Union, under management of the Swiss member of the Committee.

The Bureau was at first under the control of a permanent Committee, the rules of which for some years were rather unstable and changing. It was only at the Christiania Conference, in 1899, that some stability was obtained, through the creation of the INTER-

PARLIAMENTARY COUNCIL, composed of two members from each Group.

The aim of the reorganization decided upon at Berlin in 1908 was, then, on one hand, to strengthen the central authorities of the Union with a view to create a strong executive; on the other, to vivify, through this concentration of the forces, the national Groups which must needs be the essential supporting elements of the institution.

This new organization necessitated considerable expenditure. In order to meet this, the Union made an appeal to its different groups, asking them to assure an annual revenue. Before this the Union had been supported by the individual contributions of members, one state only, Norway, having voted annually an official subvention. At the Berlin Conference, Lord Weardale, one of the principal promoters of the reorganization, announced that the British Government proposed to grant to the Union an annual subsidy of £300. He was also able to announce that an International Committee, the representative of which was the American Branch of the ASSOCIATION FOR INTERNATIONAL CILIATION, was willing to guarantee an annual subvention for five years, or until the different states had resolved upon their attitude toward the Union.

The appeal of the Union has been responded to by nearly all the states in which Groups are in existence. Only in a very few cases the Groups themselves have to contribute to the funds. The Union is now assured of an annual income of between \$12,000 and \$14,000.

This official connection between the Union and the Governments is a fact of great importance. The nations do not pay for nothing. They give their money

because they expect to have something in return, and they have, so to speak, bound themselves to take into serious consideration the drafts presented to them by the Interparliamentarians. The Union has thus become one of the active elements in the organization of the coming Society of Nations.

THE NEW ORGANIZATION

The new organization may be said to coördinate in a wise way the different forces of the Union. Its highest authority is the CONFERENCE, which meets annually, or every second year.¹

All the members of the Union are entitled to meet at the Conference, but several Groups have adopted the practice of designating DELEGATES. The Conference passes resolutions on the problems before the Union and maps out a sort of programme for the national Groups during the ensuing year.

The COUNCIL is the highest administrative authority of the Union. It decides what questions may be brought before the Conferences and passes upon the draft resolutions to be submitted to them. It has, besides, the control of the finances, accepts gifts and subventions and fixes the estimates for the following year. It nominates the treasurer and the secretary general and passes upon their annual reports.

THE EXECUTIVE COMMITTEE of five has the control of the Interparliamentary Bureau, which is managed by the Secretary General, fixing its annual programme and directing the main lines of its activity.

NATIONAL GROUPS

The most important elements in the Interparliamentary Organization, however, must needs be the Na-

¹ The next Conference is to meet at The Hague in August or September next for the inauguration of the Peace Palace.

TIONAL GROUPS. If they are not really active and living forces, the best and wisest resolutions of the Conferences will have no sanction.

The Union is at present composed of twenty-two Groups¹ and some 3,600 individual parliamentarians figure on its lists. This appears quite an imposing number, but it should be borne in mind—first, that the entire total of all parliamentarians in these countries amounts to 9,718, so that the Union at present only registers about 37% of active parliamentarians in these states; secondly, that there are some twenty constitutional states as yet completely outside the Union, as, for instance, all of the Latin-American States; thirdly, that the existing Groups differ widely in number and in activity. While some are splendidly organized and have established a real influence on their Parliaments, others are borne up only by the devoted interest of some few individual members. Even if the Group is numerous, this is of small use if it has no corporate life of its own.

WORK BEFORE THE UNION

The great object before the Union is to prepare through parliamentary action the passing into international law of the reforms it has at heart, above everything else the substitution, in international disputes, of pacific methods for naked force. We have seen how, since the institution of the Peace Conferences at The Hague, the Interparliamentary Conferences have centered their activity round the preparation of the work to be done there, and it is quite natural that at present, when the day of the third

¹ Austria, Belgium, Bulgaria, Canada, Denmark, France, Germany, Great Britain, Greece, Hungary, Japan, Netherlands, Norway, Portugal, Roumania, Russia, Servia, Spain, Sweden, Turkey, Switzerland and the United States of America.

Hague Conference is drawing near, the minds of the Interparliamentarians are more and more bent on the programme of that meeting. Several Commissions have been instituted in order to study a whole series of problems to be brought before the Conference, and eventually to prepare draft conventions.

No international legislature is in existence. International law is enacted through treaties or conventions and no power is party to a treaty without its having been ratified by the competent authorities of the country. This gives a twofold duty to the Interparliamentary Union. Not only must it try to prepare a programme and proposals for the diplomatic Conferences entrusted with the drafting of international Conventions, but when this part of the work is done it must try to bring it about through the action of its groups that these conventions obtain the ratification of the different states.

Thus, at the last Interparliamentary Conference, which met at Geneva on September 18, 19 and 20, 1912, there were discussed problems of international law and policy, such as arbitration and mediation, limitation of armaments and aerial warfare, organization of the Peace Conferences at The Hague and the right of nationalities, and for several of these questions Commissions of study were instituted which will have to report to a later Conference. The Conference also voted, however, a series of resolutions asking the Groups to address their Governments with a view to obtain from them the ratification of several important international conventions which have not yet passed into the statute book of the Society of Nations, above all the Hague Convention as to a Prize Court and the Declaration of London on Naval Law.

ON NAVAL ARMAMENTS

The whole of the Estimates have been examined this year Vote by Vote by the newly constituted Finance Committee under the direction of my right hon. friend the Financial Secretary, and every effort will continue to be made to scrutinize and control in detail the growth of naval expenditure. There is, however, no reason to doubt that the main causes of increase which I have mentioned will continue to operate in the immediate future. The Navy is passing through a period, not merely of expansion, but of swift and ceaseless development. It is, in fact, a vast scientific business of ever-growing range and complexity, stimulated and governed by inventions and improvements in every sphere of applied mechanics. It is forced without cessation to enter upon new paths of research, and it is fanned to the highest point of activity by the rapid advance in every direction of rival Powers. The latest German Navy Law has increased the number of vessels we require to construct each year and that Law and Mediterranean requirements have still more increased the numbers and proportions of ships which must be maintained in the highest condition of readiness. To man and maintain the resulting war fleets a continual large increase in the numbers of officers and men of all ranks and ratings is required. To keep pace with labour conditions outside and other circumstances, increases have had to be made in the pay of officers and men and in the wages

of dockyard employees. The growing complexity of the service—because the House must realize that from month to month the complication and refinement of the machinery on board ship are making advances—steadily increases the growing proportion of the higher-paid ratings required; and the maturing of schemes of good conduct and other non-substantive rates of pay, together with the automatic growth of the non-effective Votes, insurance charges and the like, must augment the Estimates of each successive year, and we are confronted with a steady and resistless movement in the general cost of the scientific establishment of the Navy.

HORSE-POWER AND INCREASED COST OF FUEL

The increase in the size, cost, and speed of capital ships compelled by the general developments of naval science and the types building abroad is marked and unceasing. The increase in speed affects not only capital ships, but destroyers, light cruisers, and submarines. Increase of speed involves immense increase in horse-power. Since we have been in office the horse-power of the Navy has nearly doubled and the increase in horse-power is almost directly productive of increase in the consumption of fuel. The increased cost of fuel—particularly of oil fuel—is serious and shows no likelihood of immediate abatement. On the other hand, it is not possible to reduce the number of days' steaming of the British Fleet without falling behind the necessary standard of sea-going training. (Hear, hear.) The adoption by Germany, America, and Italy of larger guns for their primary armaments and of larger and more numerous guns for their secondary armaments

has necessitated a further advance by us, thus very greatly increasing the outlay on these weapons and still more on the ammunition they require for practice and war. No abatement in the annual consumption of practice ammunition can be looked for (hear, hear), but, on the contrary, increases are certain. The increased power and size of the new and more expensive torpedoes have led to an increase in the number of torpedo tubes, and the increased facilities for firing them makes it necessary to increase the supply of these more expensive torpedoes which have to be provided for use in each particular tube. There is a greater complexity and finish required for all apparatus on board ship, especially fire control apparatus, upon which we have had to make very large expenditure this year, gyro-compasses, range-finders, and other delicate machines of that class.

LARGER DOCKS AND COMPLEX MACHINERY

Larger ships and guns involve larger docks and an increase in the scale of all appliances and yard machinery used in the construction and repair of the ships. Not only the size but the complexity and finish of yard machinery is steadily increasing. I will speak of the important new services which are developing later. Their cost is heavy. On the top of all this comes the influence of large increases in prices, of which every member has personal experience, and sooner or later on top of that will come the weight of delayed liabilities from arrears of shipbuilding which I have already mentioned. The moment there is the slightest slackening in trade in the shipyards all the arrears of shipbuilding will be worked off and at the very moment, perhaps,

when the trade of the country is not at its best the Navy Estimates will automatically take an upward lift, and that will not have a bad effect upon the stability of employment in the great shipbuilding yards. (Cheers.) I think the House will see from what I have said that there is no prospect of avoiding increases in the future Navy Estimates unless the period of acute naval rivalries and rapid scientific expansion through which we are passing comes to an end. Of all nations we are perhaps the best able to bear the strain if it should be continued. There are greater accumulations of capital in this country than anywhere else. We are freed from the necessity of maintaining an Army on the Continental scale. (Cheers.) Our fiscal and financial systems enable us to make large expansions of taxation without directly, at any rate, raising the cost of the living of the masses of the people. (An hon. member, "Question.") But although we are not likely to be in any difficulty in regard to men or money, and although the upkeep of our Navy will always be regarded as the first charge on the resources of the British Empire, the folly, the pitiable folly, of what is taking place here and all over the world is so patent to the meanest intelligence that a concerted effort to arrest it or to modify it would surely rank amongst the first of international objects. (Cheers.)

A NAVAL HOLIDAY SUGGESTED

There is happily a way which is open which would give almost instantaneous mitigation to the nations of the world from the absurd thraldom in which they are involving themselves at the present time. We are all

in very much the same case. A good deal of what I am going to say could, I think, be repeated by the Minister of every other Great Power, or almost every other Great Power, without the slightest prejudice to his own national interests. In the sphere of naval competition everything is relative. The strength of one navy is its strength compared to another. The value of a ship depends almost entirely upon the contemporary ship which it may have to meet. The usefulness of a naval invention ceases when it is enjoyed by everybody else. A 30-knot ship has no greater advantage over a 27-knot ship than a 20-knot ship has over a 17-knot ship. The results are the same, the cost alone is perhaps double. The same may be said of guns and armour. Their value is purely relative. There is no practical naval advantage to be gained in *matériel*, except where one nation possesses the monopoly for the time being of a secret over others, or where it has been able to make some advance which the others have not been able to share. As the science of the great nations advances, broadly speaking, together, it is probable that special conditions on the one hand or the other are averaged out and that the general advance is uniform and equal for all. I believe that to be true in the main, though there are no doubt exceptions of a partial character. We see the ship types of every naval Power superseding those of the previous year with remorseless persistency and scores of millions being absolutely squandered (cheers) without any result, and the pace and scale continually increasing without any real gain from such a cause in the relative position of any of the competing Powers. Every year the great nations of Christendom not only make obsolete the fleets of their

rivals, but they make obsolete their own fleet. They do that without adding in the least either to their actual security or relative strength. We are in the position of half a dozen competing manufacturers, each of whom each year is perpetually scrapping and renewing his plant without adding either to the volume or the profits of his business. Could anything be more stupid? (Cheers.) Could anything be more wasteful? (Cheers.) There is no practical result so long as all are advancing equally. On the other hand, no one Power can stand still whilst the others are advancing without being hopelessly outclassed in a very short time. This is a question which I ask, if I may presume to do so and which ought to be asked, not only of the Great Powers, but of the great peoples (cheers) —it is a practical question, I am not putting any sentiment in my examination of this subject—if, for the space of a year, 12 calendar months, no new ships were built by any nation, in what conceivable manner would the interests of any nation be affected or prejudiced? (Cheers.) You have good ships to-day. They are the best in the world, till better ones are built. Can they not have at least one year's reign before they are dethroned? (Cheers.) Why should we not take a naval holiday for one year, so far, at any rate, as new construction of capital ships is concerned? That is the question that I foreshadowed last year, that is the proposal I repeat this. It is a proposal, I should like to point out, which involves no alteration in the relative strength of the Navy. It implies no abandonment of any scheme of naval organization or of naval increase. It is contrary to the system of no Navy law. It imposes no check upon the development of true naval efficiency.

It is so simple that it could lead to no misunderstanding. The finances of every country would obtain relief. No navy would sustain the slightest injury.

AN APPEAL TO ALL NATIONS

We in Great Britain can speak with simplicity and directness upon such a subject. Our naval science is not inferior to that of any other country. Our resources are greater. Our experience is far greater. Our designs at every stage in the world's competition have maintained their old primacy, and, judged by the custom which we receive from other countries, our prices and the quality of our workmanship lie under no reproach. Each year so long as new ships are built we shall build the best that science can project or money can buy. We shall do the utmost to preserve that leadership in design which is no less necessary to naval supremacy than preponderance in numbers. Sir, it is no appeal of weakness, panting or lagging behind, that we make, but rather an appeal of strength, striding on in front. It is an appeal which we address to all nations and to no nation with more profound sincerity than to our great neighbour over the North Sea. (Cheers.) Let me say at once how much we welcome the calm and friendly tone and temper which has characterized recent German naval discussion. After a period of active naval preparation and direct comparison of naval strength, it is very satisfactory to observe that the relations between the two countries have sensibly improved, and that from the perils and anxieties under which Europe has dwelt these many months Great Britain and Germany have known how

to draw the conviction that both of them are earnest to preserve the peace unbroken. (Cheers.) Sentiments of good will, the growth of mutual confidence and respect, do much to rob the naval rivalries of their alarms and dangers, and permit us to approach the iron facts of the situation with composure and with a certain sense of detachment. Consciousness of our strength and the resolution of all parties in the House to do what is necessary to maintain it ought to banish from our discussions anything in the nature of scare-mongering or bluster, which when applied in distortion of military facts, are a certain means of producing errors in one's own policy and ill will in the policy of others.

GERMAN DECLARATIONS

There is another mistake which we ought to be able to avoid. We must not try to read into recent German naval declarations a meaning which we should like, but which they do not possess; nor ought we to seek to tie German naval policy down to our wishes by too precise interpretations of friendly language used in the German Reichstag with a good and reassuring purpose. If, for instance, I were to say that Admiral von Tirpitz had recognized that a British preponderance of 16 to 10 in Dreadnoughts was satisfactory to Germany, that such a preponderance exists almost exactly in the present period, and that, in consequence, Germany ought not to begin any more capital ships until we did, that might be a logical argument, but it would, I am sure, do a great deal of harm; and if my right hon. friend the Secretary of State for Foreign Affairs were to press this point upon the German Government and to

urge them through diplomatic channels to build no new ships this year, it would only lead to a direct refusal and subsequent recrimination. As a matter of fact, the increased German programme of three vessels for the year 1913 has already passed the Reichstag, and there is good reason to believe that they will be begun without delay and no remonstrance or appeal on our part would have any effect that would not be regrettable.

“STRENGTH, CANDOUR, AND SIMPLICITY”

The naval policy towards Germany which I have been permitted to lay before the House, and which has so far received very general acceptance in the country and produced no evil consequences in any quarter, is based on strength, candour, and simplicity. (Hear, hear.) It excludes all idea of entangling bargains which would only break down in disputes and irritation. Both nations must be perfectly free to take whatever course in naval armaments may seem to them at any time wise and right, and to modify and extend their programmes and elevate or vary their standard as they may see fit. It has long been the policy of Germany to announce beforehand for a series of years what her naval programme will be. It has lately become our policy to forecast as far as we can, and subject to all necessary reservations against what cannot be foreseen, what consequences these German programmes will produce in our own construction over more or less the same series of years; and to state, as I now state, that if in any particular year, not as a matter of bargain but as a matter of fact, the programme of causation is reduced or cancelled, the pro-

gramme of consequence will, subject to all necessary reservations against what cannot now be foreseen, be reduced or cancelled too. Thus a framework and structure for events is established by which dangerous ambitions and apprehensions alike are effectively excluded and under the shelter of which good will and all the forces of good will may work without misconception or interference.

BRITISH AND GERMAN STANDARDS

All our forecasts in this swiftly changing human scene are liable to revision by unexpected events, but I am glad to say that nothing which has happened in the year that has passed has led us to alter the numerical programmes I submitted to the House in March and July of 1912 or to alter the guiding standards on which they were based. Had new construction under the German Naval Laws remained at the augmented rate of two capital ships a year for six years, British programmes of four ships and three ships alternately would in the Admiralty view have sufficed to maintain the 60 per cent. Dreadnought standard. As the German new construction has been increased by two capital ships in the six years' period in question, the British programmes will be increased by four capital ships, two of which require to be laid down in the present year, making, as I stated last July, our programme for this year five as against three. The British programmes as revised of the six years under review will thus, as I explained to the House in July last, aggregate a total of 25 ships against 14. Two ships will be added to this total for every extra vessel laid down by Germany. Additional to this total will be any

ships which we may have to build in consequence of new naval developments in the Mediterranean. I am glad to say that no such developments are to be observed at the present time. Thirdly, the ship presented by the Federated Malay States and the three ships now under discussion in Canada will also be additional to the total I have mentioned, that being the specific condition on which they were given and accepted. (Hear, hear.) These are the basis of a naval policy which, coolly and inflexibly pursued during the next few years, will, we believe, place our country and the British Empire beyond the reach of purely naval pressure and which need not at any stage of its execution be foisted into a cause of quarrel with our German neighbours.

THE OPPORTUNITY AND DUTY OF THE PRESS IN RELATION TO WORLD PEACE

'Twere less toil
To build Colossus than to hew a hill
Into a statue.—FESTUS.

Paraphrasing this strong figure, it will prove a much easier task for the Press of the world to create a sentiment for peace than for Governments, hampered by centuries of indulgence in legalized barbarism, to destroy the desire for war.

Countless methods of arousing public opinion and wielding it in concrete form against an evil or oppression suggest themselves to the publishers of to-day. When the managing editor of a metropolitan newspaper finds that the babies of a city are stricken and dying because of adulterated milk; when the poor of the tenement districts are languishing in midsummer because they cannot buy ice; when the people generally are being robbed by a gas monopoly or other public utility, there is no confusion, hesitation or delay. A few good reporters are summoned, the camera brigade is called into action, the best cartoonists are as-

signed, the crack headliners are selected, and in screaming type the story is told, emphasized, and amplified from day to day, until the people, aroused by self-interest, passion, or sympathy, correct the evil or furnish quick relief.

The magazines have long since learned the power of appeal when a cause is just. For years writers like Charles Edward Russell, Lincoln Steffens, Judson C. Welliver, Ida M. Tarbell, Rheta Childe Dorr and Jane Addams have supplied articles "with a punch" which have taken precedence over the mere literary contributions which predominated ten years ago.

THE SPANISH-AMERICAN WAR.

We have only to hark back to the spring of 1898 to recall the masterful influence of the Press in arousing a peaceful nation to war against Spain. Without the sanction, or more correctly speaking, without the active partisan efforts of the newspapers of that period, the war against Spain would never have been declared. There was probably no issue at stake, no demand America might have made upon Spain, even unto indemnity for the loss of the *Maine*, that could not have been settled by arbitration. Granted that the destruction of the *Maine* and the consequent loss of human life were directly traceable to the machinations of the Spanish Government, in the light of common sense

and human reason, what kind of vengeance or satisfaction was there in entering upon a war, which in all of its ramifications has cost more than \$1,000,000,000 and the loss of 20,000 lives? And yet we call ourselves a highly civilized, sagacious and Christian people.

At the Nineteenth Universal Peace Congress, Dr. Edoardo Giretti gave utterance to the statement that the Turko-Italian war was first and foremost the fatal result of the system of journalism which prevailed throughout the world, a system whose only object was the excitement of the passions of the crowd. "Our particular duty," he said, "is more and more to make war upon war by organizing a great agency which would be honest and truth-loving, an agency of truth for the furtherance of peace and justice."

An agency, a world-wide instrumentality as the Press is, which is able to provoke an unnecessary war certainly is potent enough to prevent one. Acting in unison, with high and patriotic purpose, the newspapers and magazines, by systematic and persistent effort, can place the United States in the vanguard of nations ready, anxious and willing to discard the barbarisms of war. They can create a sentiment within twelve months which will force Congress to invite every civilized nation on the globe to become an irrevocable party to an international court that will settle every difference which can possibly arise between na-

tions, including all questions of honor, and thereby reduce the armaments of the world to a mere police footing.

POWER OF THE PRESS.

There are in the United States to-day more than 20,000 newspapers and periodicals, not including the monthly magazines. Allowing for each periodical an average of 1,000 subscribers, 20,000,000 of people are thereby reached and influenced in their opinions. Granting that each copy influences, directly or indirectly, an average of three people, we thus have 60,000,000 citizens, or two thirds of our entire population, gathering their news and shaping their views upon public questions from this single source. The Press of the nation has not only a great positive duty in the premises, but its failure or neglect to seize the opportunity is nothing less than criminal.

As I ponder over this question and weigh the horrors and wages of war, as I recall the distress and devastation of every armed conflict, and recount the untold millions of men in the past who have been called from the farm, the factory and the store, from the office and the mill, from the public places in the city, and the byways of the country, to offer their lives in satisfying some unholy ambition, a war of pure conquest or a struggle arising out of commercial rivalry, I confess that I do not understand why the masses

who have so little to gain, and so much to lose, have not long since risen and destroyed the world's greatest evil.

THE WASTE OF WAR.

A well-known writer has said:

“ Give me the money that has been spent in war and I will purchase every foot of land upon the globe. I will clothe every man, woman and child in an attire of which kings and queens will be proud; I will build a schoolhouse on every hillside, and in every valley over the whole earth; I will build an academy in every town and endow it; a college in every state, and will fill it with able professors; I will crown every hill with a place of worship, consecrated to the gospel of peace; I will support in every pulpit an able teacher of righteousness, so that on every Sabbath the chimes on every hill will answer the chimes on another around the world.”

Yet, we of America, God's greatest gift to Christianity and civilization, bound and chained to crass principles, precedents, and limitations, slaves to the same prejudices and passions which influenced Alexander, Cæsar and Napoleon; children of the same tendencies that devastated England in internecine war; moral and mental pygmies of the same caliber which demoralized church and state of continental Europe in medieval times, go right on creating standing armies and building monster battleships in order that the

American steel plants, gunmakers and bankers may find an outlet in every land.

An Austrian socialist said in England:

"Insert a peace-promoting industry as profitable as the industry of preparation for war and your peace propaganda will conquer the world."

FORCE NOT ALWAYS EFFECTIVE.

In this day and age there is not a merchant ship that crosses the sea, nor an idle dollar in the strong-box of the nation, an ambitious adventurer seeking new worlds to conquer, that could not accomplish all and more under a system of universal peace, created, sanctioned and maintained by the powers of the earth.

It is the veriest of human fallacy and the acme of political frailty to longer contend that war between civilized nations is essential to national perpetuity. Just as there is a higher law than the Constitution, so there is a greater force than armies, navies and machine guns. It is the force of individual physical discipline commingled with the force of mind. This was demonstrated in a recent war.

Russia as a nation is centuries older than Japan; she was building mosques and temples for the Greek Church when Japan was worshiping the sun and closing her ports to the civilized world. Russia has a greater population by 90,000,000 than Japan, yet there

are in Japan 200,000 more children attending school than in the whole empire of Russia. The victory of the little brown man was the triumph of the spelling book over illiteracy, the efficacy of mathematical precision over blind force.

THE SPELLING BOOK BEHIND THE GUN.

If the spelling book behind the gun could defeat the arms of all the Russians, the Press of the American nation behind the problem of peace can solve it to the everlasting glory of mankind. The march of destiny is not accomplished or altered by pessimism or fear. It moves majestically forward through all the ages, lifting heathen lands into the sunlight of civilization; substituting Christian religion for pagan worship; setting up missions and schools in the jungle, and gathering in the heathen children from their playground with the ape; pushing the steel rails of commerce across Siberia; stringing telegraph wires over the snow-capped peaks of Alaska; connecting the Mediterranean and the Red Sea by a great waterway; severing the American continent in twain at Panama, until we may well exclaim: "What hath God wrought!" These are victories of peace.

The total annual military expenditures of the world approximate \$2,250,000,000. This is enough money to send 4,500,000 boys to college one year, or 1,000,000 to college through a four years' course. This an-

nual budget for carrying on war is sufficient to pay all the expenses of all the boys and girls who have graduated in all the colleges of the world since time began. It would support all the working people in New York, Philadelphia and Cleveland for one year. Eliminate war and convert the tribute it pays in men and money to the arts and crafts of peace and all that has been accomplished in the last century will be doubled in the twenty years to come.

A FEAST OF VULTURES.

It is estimated that the entire imperial revenue of Germany for 1912 was \$461,800,000. Of this vast sum \$418,000,000, or nine-tenths, will be expended in militarism, navyism, and colonial politics, and the army and navy are to be still further increased. And yet there is a German proverb that a great war leaves a country with three armies—an army of cripples, an army of mourners and an army of thieves. By a resort to arms Christian men and women become *particeps criminis* to this "feast of vultures and waste of life."

In urging the Anglo-American and French treaties, President Taft said:

"Personally I do not see any reason why matters of national honor should not be referred to courts of arbitration, as matters of private or national property are.

"If we can bring other nations to abide by the ad-

judication of international arbitration courts in every issue which cannot be settled by negotiations, we shall have made a long step forward in demonstrating that it is possible for two nations at least to establish between them the same system which, through the process of law, has existed between individuals under government."

PRESIDENT TAFT IS RIGHT.

Thus in a few simple words, which have been indorsed by Sir Edward Grey in the British House of Commons, the Chief Executive of the world's leading nation, a country which has never lost a war, has swept aside every obstacle, real or imaginary, national or international, to the creation of a tribunal which shall have absolute and final jurisdiction over all differences between civilized countries.

Learned lawyers of the United States Senate may quibble over Senate prerogative as to the treaty-making power; jingo statesmen and capitalistic newspapers may create bogie questions of honor over which to throw nations into the horrors of war, but the simple fact remains that the powers of earth can proclaim and establish a permanent peace, *and it is the duty of the Press of the world to see that they do it.*

For more than thirty years the United States has expended for the creation and maintenance of armies and navies, for pensions and interest upon war debts, 70 per cent of its federal revenues, while only 30 per cent

has been used for the administration and maintenance of civil affairs.

These figures are the severest indictment of our national intelligence, and yet it is within the power of the Press to say to Congress, Thus far and no farther shalt thou go.

The ability to settle personal and private differences over rights of property without a resort to physical force is one of the achievements of medieval and modern civilization, and it has been reached largely through the evolution of Roman and common law. The contending parties having exhausted all other means, resort to courts of law, whose final judgments are accepted. Were it otherwise we should live in constant turmoil and society would soon resolve itself into chaos.

REASON WILL FINALLY PREVAIL.

Governments and civilization proceed upon the theory that the failures of justice are the exception, not the rule, and that in the grand total of judicial awards the things which are Cæsar's will be rendered unto Cæsar and that every man will get what is due him either in punishment or reward.

Nations have not made so much progress in adjusting their contentions, though the court of arbitration has been conceived, partially established, and in a limited way applied. In time, however, a great interna-

tional tribunal will pass upon the differences of Governments just as courts of law sit in judgment upon rights of individuals and render decisions which become the law of the land. The awards of such a tribunal will be final, and its decisions duly codified will become the accepted law of nations. Let the newspapers of this nation consider this question in earnest, and the Press will be reënforced by every minister of the gospel, by every teacher of the young and by every mother in the land. Then, instead of battle flags and war drums, silent tombs and enduring pension rolls, we shall build an altar where love and fraternity will kindle a peace as undying as "Persia's fabled fires."

DESTROY THE TEMPLE OF MARS.

The Press should await no psychological moment. No miracle will occur. The sun will never again stand still on Gibeon, nor the moon in the valley of Ajalon. We should go forth by the light we have and the homely weapons at hand—those twin agencies, love and fraternity, which God gave to the world in the infancy of the universe. No great deed is ever performed by waiting. Everything is accomplished by action. Inertia is more than negative; it is neutral. Evolution is progress, and progress never stands still. When Christ struck the sword from the hand of Peter he doubtless meant, "Thou shalt shed no blood, but go forth and teach the gospel of love among all nations."

Before the Press of the world stands this great opportunity. Indeed, the Press is face to face with a serious duty. Public sentiment is the sleeping giant and needs only to be aroused.

Like Samson in the presence of his enemies, the Press can bring down the Temple of Mars and "Let the bugle sound the truce of God to the whole world forever."

PROFIT AND PATRIOTISM

(From the London *Economist*, April 26, 1913)

The sharp practices by which manufacturers of military supplies take advantage of the authorities, writes a Berlin correspondent, came up for further discussion in the Reichstag last week, with startling results. Dr. Liebknecht, the Socialist member for Essen, gave sensational disclosures on Friday, April 18th, in regard to the two leading concerns that supply the Government with artillery and small arms and ammunition. He charged the Krupp Company with having kept till a few weeks ago an agent in Berlin, whom he mentioned by name, whose business it was to bribe officials in the War and Navy Departments to communicate documents to him containing military secrets. In this way he was said to have obtained advance information of great value to his firm. Liebknecht said further that this agent operated with large sums of money. Another charge was directed against the principal company manufacturing small arms and cartridges. It was asserted that this concern had tried to secure the publication in a leading Paris newspaper of a paragraph stating that the French Government was about to make important changes in arms and an increase in the army—all for the obvious purpose of stirring up the German Government to a similar course, with the result of increasing the business of the company in question. To show that he was not making charges upon mere hearsay evidence, Liebknecht asserted that he had the docu-

ments to prove what he was saying, and had actually shown them to the Minister of War some months ago; and that the latter had instituted an investigation, which substantially confirmed his charges.

General von Heeringen, the Minister of War, who replied immediately, had to admit that there was some truth in what had been said, but he claimed that Dr. Liebknecht's statements were much exaggerated. In regard to the matter of the small arms and ammunition factory, his only answer was that the case was several years old, and had already been mentioned in the Reichstag. (It did, in fact, occur in 1907.) In regard to the charges against the Krupps, he admitted, too, that the agent in question had misled and induced some corporals "and others" to supply him with information which they were under obligations to keep secret; but the Minister denied that this information embraced military secrets essential to the safety of the country. Moreover, he regretted that Dr. Liebknecht had chosen to mention these matters in the Reichstag, inasmuch as an investigation was going on which was not yet concluded; pending this investigation, he himself could not say more, but would in due time inform the Reichstag of the result. Answering the demand that the Government break off all relations with the two concerns in question, he said that it was impossible to do this, since the Government is dependent upon these private firms for its military supplies.

Since this debate occurred the *Vorwärts* has printed the letter of the small arms and ammunition company to a representative in Paris, and it fully substantiates what Dr. Liebknecht had said about it. The Minister of War gave later the company's explanation of what it

intended by this manœuvre—it wanted to find out just what the French Government was planning to do, not to influence the German Government! The Reichstag greeted this lame excuse with derision. Both cases made a great impression on the members, and speakers from all parties have demanded that reforms be instituted. It should be added in fairness to the Krupp Company that its directors have issued a statement to the public in which they deny that their agent was supplied by them with any other money than his salary. Public opinion has been shocked by the revelations, and it is demanded that a Government Commission be appointed to inquire into both cases. It is urged in the Press that the arms and ammunition company, in whose directorate a number of the leading banks of the country and some of the most prominent private capitalists have seats, take steps to clear its reputation.

The principal points of Dr. Liebknecht's speech may be summed up as follows:—

(1) That certain armaments works at Dillingen were owned by French capitalists, and that, therefore, the capital could not be considered peculiarly patriotic.

(2) That the Deutsche Waffen- und Munitionsfabrik had attempted to get a false statement inserted in a French paper.

(3) That the Krupps had maintained an agent in Berlin to bribe War Office and Admiralty officials and obtain secret documents.

The light cast on the origin of war scares and the piling up of armaments is so startling that we shall quote some passages from Dr. Liebknecht's speech in full:—

Armament contractors systematically supply goods

to foreign countries, indifferent as to whether they will later be used for the purpose of killing Germans. The Dillingen works are actually owned in the main by French capital, and at their general meeting the language of our old enemies, the French, is employed.

A German armament firm did not scruple to promote the publication of an article in a French newspaper to the effect that French armaments were projected, so as to build up German opinion in favor of increases in the army, and to benefit its own pockets. That is the way in which it is done. The biggest German armaments factory adopts every kind of manipulation. The directors of the Krupp steel works in Essen maintained in Berlin until only a few weeks ago an agent named Frank, a former artilleryman, whose business it was to make up to and bribe the officials of the War Office and Admiralty, in order to obtain secret documents, whose contents were of interest to the firm. Information as to the results of negotiations about prices demanded by other firms, or accorded to them, is particularly sought after. The man presumably has money at his disposal, so as to induce officials to betray military secrets. In the secret cupboard of a Herr von Dewitz in Essen, a high official of the firm of Krupp, these secret reports lie or lay carefully preserved. I have informed the War Minister of the particulars given to me. My attention has been called to the fact that the firm could easily get rid of any clues or persons who were inconvenient to it. The War Minister has in this matter done his duty; he has taken action, and not merely against the members of the army, but also against civilians. Inquiries are pending in the case of six or seven persons. These steps have been taken with com-

mendable promptitude. Persons in high positions have been arrested for examination, and the inquiry has fully corroborated what I have stated. The purpose of the investigation cannot now be endangered. In the interests of the German people, and of European peace, I must, therefore, discuss this matter. If a firm writes letters to France of the kind I mentioned, it also does what the firm of Krupp does, and if the firm of Krupp does what I stated, it is doing what the Deutsche Waffen- und Munitions-fabrik did. That is clear. If morality has sunk to this negative level—there can be no talk of zero—we must be prepared for anything. Dillingen equals Herr von Schubert, Schubert equals Stumm, and Stumm equals the *Post*. The *Post* in 1911 published that article about the Morocco affair, in order to encourage the German Government in an active policy. Other articles followed. The war fever spreads. Was not the *Post* first the mouthpiece of the general staff clique, at whose feet the War Minister to-day lies? Was it not the *Post*, too, which, when peace was “threatening” in the Balkans, suddenly discovered in February that a new danger point was developing in the West? Was it not, and is it not, the *Post* which made much capital out of the occurrences at Nancy, and beat the big drum of patriotism? * * * Such occurrences as took place at Nancy are regretted even in France, but are always utilized reciprocally by a certain section of the Press to urge further armaments. The relation between armaments and the German Chauvinist Press is well known. The Imperial Government has considered it conformable with its duty not merely to enter into relations with these army contractors—the Government was no doubt uninstructed in these matters—but

even to restrict the activity of State institutions for the benefit of private individuals because their maintenance is regarded as necessary in the interest of war organization. This much is obvious; this system must be brought to an end. It is a compelling necessity that the hands of the German Empire—to speak metaphorically—remain clean. It is requisite that the Government should have no more relations with firms which pursue such practices. I cannot in the least reproach the War Minister. He has acted correctly in this matter. The War Minister has already declared that he will break off relations with firms which pursue dishonest methods. The firm of Krupp must get no more orders. The most important point is that we must change our policy, and not merely owing to the financial impropriety and dishonesty. We must as speedily as possible nationalize the whole armaments industry, at whatever cost, so that it may be possible to eliminate a class interest which signifies a constant danger of war, and so that a root of all national discord may be eradicated.

The charge brought in this speech against the Waffen- und Munitions-fabrik is supplemented in the *Vorwärts* by the publication of the actual letter written in 1907 to an unnamed person in Paris. It runs as follows:—

We have just wired you, "Kindly await our letter of to-day in Paris." The reason for this wire was that we should like to have inserted in the most widely read French newspapers, if possible in the *Figaro*, an article containing the following passage:—"The French War Office has decided considerably to hasten the re-arming of the army with machine guns, and to order twice the number that was at first intended."

We request you to take all steps to have an article of the kind indicated accepted.—Yours faithfully,

Deutsche Munitions- und Waffen-fabrik.

This letter is stated to be signed by two directors of the company, Herr Paul von Gontard and Herr M. Rosegarten, and to be numbered 8,236 in the private books of the company. The authenticity of the letter is recognized by the Minister of War, who was informed of it two years ago. In regard to the charge against the Krupps, a statement is published, as our correspondent mentioned, which declares that a Berlin office is necessary in order that the firm may obtain particulars of interest to it, and the circumstance that a subordinate employee of the office has given small presents to subaltern officials of the War Office does not justify the denunciation of Herr Liebknecht. The Reichstag on Wednesday decided, against the votes of only the Conservatives, to demand a Commission of Inquiry into the whole question of supplies of armaments, the Committee to include members of the Reichstag and experts selected by the Reichstag. Herr Delbrück, the Minister of the Interior, raised constitutional objections against a Parliamentary Committee of Inquiry, and proposed as a compromise that the Committee should include members of the Reichstag, but should not be appointed by it. The Reichstag, however, seems inclined to insist on having its own way in this important matter.

MONEY-MAKING AND WAR

(From the *Evening Post*, New York, April 21, 1913)

Again peace-lovers the world over are indebted to the German Social-Democrats. Thanks to them, we have the clearest example of the alliance between big business and militarism which has yet been brought out anywhere. That this alliance exists in every country is more or less notorious. Even on this side of the water the interest taken in our blatant Navy League by battleship builders, organizers of Ship Trusts, and producers of nickel-steel, is well known. It has plenty of money, and maintains offices in Washington, where its recent banquet called forth such salutary anti-militaristic remarks by Congressman Fitzgerald and Secretary Bryan. But the Social-Democratic leader, Dr. Liebknecht, has been fortunate enough to throw a light upon the recent war-scare in Germany and France which ought to rouse the utmost indignation not only in those countries, but wherever men are thinking seriously upon this terrible curse of modern times—armed peace. Dr. Liebknecht and his party's organ, the *Vorwärts*, have proved that a great Essen firm which is competing with the Krupps for the business of supplying war material, had actually been maintaining an agent in Paris to induce the French press to attack Germany, and so to cause the German Government to place more orders for guns and munitions. By some piece of good fortune, the *Vorwärts* is actually in possession of the instructions given to the Paris agent to "leave no stone unturned" to persuade some widely

read Paris newspaper to print a statement that France intended to double her orders for machine guns. Then the German company was to appear at the War Office in Berlin and cite the Paris article as a reason why it should be given a large order for machine guns.

Could anything be baser than this? It is not merely a bit of sharp business practice; it is playing with fire of the most dangerous sort. For from this sort of article, with the ensuing competition, arises immediately a dangerous tension between the two countries. We have seen it all in this instance. The publication of this story of increased purchases of guns by France and similarly belligerent[®] articles in the *Figaro* and other Paris newspapers was followed by the extension of the two years' compulsory service in France to three. Thereupon Germany answered with its tremendous war-levy and an increase of its standing army and navy to no less than 870,000 men. This in itself is enough to bring about a dangerous condition of affairs; and then happened the misadventure of the Zeppelin dirigible in France and the attacks on German citizens near the frontier. The fearful aspect of all this is that those who are playing this game are playing with human lives. Perhaps a half-million human beings would perish or be maimed should Germany and France fight again under modern conditions. And yet, for the sake of increasing its dividends, the Deutsche Munitions- und Waffenfabrik of Essen is ready to take the chances of precipitating such a frightful national catastrophe.

But it is not only this company which is guilty. The Krupps, too, have been revealed by Dr. Liebknecht as maintaining a lobby in Berlin, agents with plenty of

money to bribe officials and to subsidize the purchasable press to print articles attacking France and England and creating war-scares. No one knew, of course, that behind these articles which preached Pan-Germanism and the necessity of national defence was, as the *Morgenpost* puts it, "sheer lust of gold," but untold numbers were fooled by them. More recently has the War Minister risen in the Reichstag to explain that the necessity for such a great increase in the army was not the French militarists or the alarmist articles in the French press, but the rearrangement of things in the Near East and the strengthening of Russian influence. Where do these Krupp revelations leave him? Either he was ignorant of what was going on, or he was helping to conceal the play to coin more money out of the taxpayers' fears which was being so well staged by the Krupps and masked by all this talk of the new danger to Germany in the Balkans.

Altogether there is no sadder picture of the exploiting of the masses by special privilege than this presents. The lower classes are staggering under a frightful burden of taxation and are compelled to give two or three years out of their lives to the Government. All industry and progress are hampered thereby, but the peasant is kept in subjection by various devices, such as plural voting, and the very army he creates and pays for is used against him if, as in Prussia and in Hungary the other day, he demands that at least he shall have manhood suffrage, with only one vote to a man. Then the privilege which his money has fortified in Essen declares 30 per cent. a year in dividends made in creating, not weapons of industry, but weapons designed solely to slaughter human beings. It is all so terrible, such

a mockery of civilization and Christianity, that it seems as if this madness for armaments must result in an international uprising of the masses who chiefly suffer by it.

Well, these Berlin revelations will help a little; they certainly place the Government, now asking the Reichstag for those vast new sacrifices of treasure and of economic power, on the defensive. They ought to open the eyes of many who have been blinded heretofore by the familiar cant and humbuggery of the imperialist—manifest destiny, race entity, preserving peace by arming for war, paying merely insurance on a nation's welfare, etc. All these and other stereotyped phrases have befuddled the taxpayers. But the time is coming when the people will insist that their Prime Ministers and Presidents are hired primarily to insure peace by their conduct of national affairs, and will decline to dance further to the tune of the gun-making piper. There is really no adequate penalty for such offences against the peace of the nation as are now revealed in Germany; the press is speaking out at last, even the Conservative wing, and a few of the go-betweens will doubtless pay the penalty. But the makers of guns and powder will survive, we fear, when they ought to be driven to the wall and their 30 per cent. profits put an end to by the victims from whom they are wrung.

MUSIC AS AN INTERNATIONAL LANGUAGE

HERE is a Russian edition of Rimsky-Korsakoff's "Scheherazade," a suite of pieces for orchestra founded on the Arabian Nights Entertainments, which flaunts as title-page a most gorgeously oriental design of bright blues, reds and greens, on a background of gold. It is strikingly handsome and quite barbaric, reminding one more than anything else of the wall decorations of Byzantine architecture. And the last touch of outlandishness is given by the text in those strange Russian letters which look, according to a whimsical friend of mine, "as English does when you have belladonna in your eyes." To see discerningly such a title-page, feeling the remoteness of the point of view that produced it from that of the Anglo-Saxon mind, and then to turn over the leaf and read, with a thrill of appreciation, the stirring melody with which the piece begins, is to gain a vivid sense of the universality of music, its power to bridge even such a chasm as that which separates East and West. A Russian and an American who stopped at the title-page might well feel a strangeness in each other, a sense of fundamental differences in racial

memories, traditions, tastes, which would need only an occasion to manifest itself in active enmity; yet if they once heard the music, witnessing each other's delight in it, they would feel underneath all this a bond of common human feeling uniting them already in potential friendship. However little sympathy they might have in other respects, the music at least would speak to both, by virtue of its unique power as the only language that requires no translation.

MUSIC UNDERSTOOD EVERYWHERE.

This curious power of music to reconcile extremes by means of its universal comprehensibility seems to me to constitute a strong claim on the attention of those interested in international friendship and the cessation of wars which it alone can bring. If it be true that music is, in sober fact, the only international language, the only emotional and spiritual coinage that is honored all over the world, then it must surely be an invaluable influence toward peace. For after all, the acts of governments are ultimately dependent on the temper of the people behind them. If the mass of the people in a country are selfish, provincial and narrow, inclined to look upon all the world beyond their borders as "outlandish" and "queer," as made up of those infra-human beings called "foreigners," then that country is never really safe from war. And it is only when the mass of people are educated beyond

such crude sophomoric views and learn to substitute for the conception of "foreigner" that of "interestingly different fellow being," that there is any real basis, in mutual regard, for a lasting peace.

THE PLASTIC ARTS AS PEACE INFLUENCES.

In developing such a mutual understanding and regard between nations, the arts have important but varying functions to perform. The plastic arts, by nature more objective than the arts of literature and music, may be of great service in familiarizing us with the external aspects of distant countries, and thus making us feel at home there. In the wholly strange we notice only trifling details, as one unacquainted with Brittany and Normandy, for example, might, on first seeing a picture by Millet, pay more attention to the wooden shoes and the smocks of the peasants than to the physical and mental characteristics which he delineates so wonderfully. By familiarizing us with French peasant life such a painter as Millet does much to supersede such childish preoccupations in us by more helpful divinations as to the human nature living its serious life beneath these clothes.

LITERATURE AND MUSIC ACT MORE DIRECTLY.

Literature and music, however, by virtue of their more intimate, subjective way of working, exercise an even more important influence, perhaps, toward inter-

national goodfellowship. They are not obliged to go indirectly at the spirit through the body, but are privileged to express directly and poignantly the most intimate facts of mental and emotional life. A Russian painter may give us pictures under the surface of which we can discern much of what makes the Russian character individual; but Turgenev in his novels and Tschaïkowsky in his symphonies show us the Russian as he is in his soul—that strange mixture of fatalism and impulsiveness. Constable shows us the English countryside, and Gainsborough and Hogarth, in their differing ways, it must be admitted, show us much of the English character; but not quite in the simple transparency wherewith it is revealed in a poem like "Robin Hood" or a folk-song like "Polly Oliver."

Literature, of course, whether in the poem, the novel, or the play; is one of the great revealers, the influence of which toward a good understanding between nations it would be hard to overestimate. Yet even over literature music has one advantage, which dates back to the confusion of tongues. The work of art in words must be translated if it is to make its appeal beyond its limited audience; the work of art in tones appeals to every human being in the measure of his capacity to hear, and to understand intelligently what he hears. Moreover, the habit of reading is confined to certain classes; some people who never open a book listen with ardor and a certain degree of intelligence to music;

it is quite conceivable, for example, that one who had never heard of Turgenev, might nevertheless feel powerfully the spell of Russia in such a work as Tschaikowsky's "Pathetic Symphony," or that one wholly unacquainted with the history of serfdom might have a ray of sympathy for the monotonous weariness of the serf's existence shot into his heart by hearing the "Song of the Volga Boatmen." Probably for every ten Americans who have gained a sense of sympathy with Germany through Goethe's or Heine's poetry there are a dozen who love Beethoven's music. Few except special students could give an intelligent account of a great literary masterpiece of an out-of-the-way country like the Norwegian Ibsen's "Peer Gynt"; how many have delighted in the melodious orchestral suite founded upon it by Grieg!

MUSIC GOES THE DEEPER.

It would of course be absurd to claim that music can give us anything like the detailed information that literature can, or that its message is at all comparable to that of literature in concreteness and definiteness. In any such comparison music must suffer. So far as international peace depends upon the communication of facts and concrete thoughts from nation to nation, literature is doubtless its chief servant. But the present point is that it depends not only on these, but also, and perhaps even more intimately, on profound tem-

peramental affinities and sympathies that can best be nurtured by such an art as music, with its wonderful power of illuminating the depths of our emotional life. It cannot show us the other man's intellectual ideas; but if, by way of compensation for this shortcoming of vagueness, it has an incomparable power to reveal what is even deeper, his loves and hates, his hopes and fears, in a word the temperamental soil out of which all his ideas must grow, is not that an even more vital revelation? Music thus seems to bring us into contact at a deeper level than that of the spoken word.

FOLK MUSIC.

If music as a whole is thus distinguished from other modes of expression by the depth of the emotional level to which it penetrates, it is also noteworthy that within music itself there are different levels of expression, some kinds of music delving much more profoundly into human nature, others remaining comparatively superficial. To this latter class I should be inclined to attribute those compositions based on folk-music which have played so prominent a part in the musical history of the nineteenth century. Many composers of this period discovered in the provincial music of various countries a charm which was due to its quaintness, its novelty, its unfamiliarity to the cosmopolitan ear. It was a charm akin to that which the American traveler finds in Dutch windmills or Egyp-

tian camels—the charm of the picturesque, of “local color.” The peculiarities enjoyed were in every case more or less external, superficial; yet the enjoyment of them, so far as it went, tended to increase the interest in other nations, and perhaps even the sense of brotherhood with them.

SOME EXAMPLES.

Examples of this interest in provincial peculiarities, in what may be called dialects of the musical language, meet us on every hand in nineteenth century composition. Recent research proves that even Haydn, at the end of the previous century, based his work largely on Croatian folk-songs. Beethoven used one or two Turkish themes, in somewhat jesting mood, but it is not until Liszt borrowed so copiously from his native Hungarian melodies that we find the practice well established. Chopin used the Polish folk-music to a limited extent. Grieg, the first thorough-going “nationalist,” owes much of his charm to the plaintive Norwegian idiom; Dvořák and Smetana exploited Bohemia with equal success; Russia had its Glinka, Balakirev, Cui and others, Poland its Paderewski, Finland its Sibelius; our own countryman MacDowell has used in his Indian Suite the tunes of the red aborigines of America, and Dvořák, Chadwick, Gilbert, and others have idealized the really beautiful plantation airs of the negroes.

In all national music of this kind, strictly so called, we find a strong local interest. Over and above the general appeal of the music as music, which is sometimes considerable, there is the special interest of the reflection of a particular racial or national temper, often inextricably intertwined with the interest of technical peculiarities of a highly local kind. Emotionally such music interests us not so much through its expression of widespread or universal human feelings as through its emphasis on subtle shades or unusual accentuation, such as the touch of southern languor in Italian love-songs, or the riotous wealth of imagination revealed by the ornamental cadenzas of the Hungarian gypsy. Technically it is notable not so much for high organization or beauty of design—universal qualities—as for the quaintness of some peculiarity, either rhythmic, as in the “Scotch snap,” familiar to us in our own “ragtime,” or melodic, as in the tendency of the Norwegian tunes to fall back from the seventh step of the scale to the fifth instead of proceeding to the eighth, and the like. In a word, it is the excessive rather than the normal that appeals to us in all these cases.

THE SUBCONSCIOUS CANNOT MISREPRESENT.

This distinction is made not invidiously but for clearness of classification and discussion. Provincially national music amply justifies itself, from many points of

view. Especially interesting to us here is the service it does to international goodfellowship by presenting to us the peculiarities of distant nations in piquant and attractive guise. We hear, for instance, the Slavonic Dances of Dvořák with their impetuous rhythms, their gracefully twining and climbing melodies, their intoxication of joy in dancing, and we understand something of the passionate delight in rhythmic movement that is said sometimes to keep the Bohemian peasants dancing all night. Or we divine in the "spirituals" of the negroes, at once palpitanly sensuous and charged with awe-struck, childlike piety, something of the paradox of their strangely mixed emotional nature. And it is worth noting that folk-music, emanating as it does from man's subconscious life, cannot misrepresent him as his conscious expressions sometimes do. We are frequently told that the French are frivolous, or worse; but we cannot hear such a tune as their "Nous n' irons plus au bois" without doing homage to their chivalrous gaiety of spirit. The German devotion to the Fatherland becomes sometimes, in its verbal utterance, the least bit wearying; the solidity of character, the stout unquestioning loyalty of heart which underlies it, finds a far more ingratiating expression in those massively plain old German chorales which did so much to inspire the "father of musicians," J. S. Bach.

COSMOPOLITAN MUSIC AN EVEN HIGHER TYPE.

Music does much, then, to interpret nations to each other by seizing upon and presenting persuasively the salient, individualizing traits of each. But perhaps it does even more by giving noble and universally intelligible expression to the human qualities common to all. Was not Tschaïkowsky right when, instead of joining the nationalists, Balakirev, Cui, and the rest, who were exploiting the Russian folk-music to the exclusion of all else, he set himself to study the best music of the world, and to acquire an eclectic and cosmopolitan style? Is there not something inspiring in the breadth of view suggested by his answer to a lady who asked him what was his ideal?—"My ideal," he replied, "is to write beautiful music." Beauty in music, he doubtless realized, was something far wider than this or that piquant cadence or turn of melody; it was the result of a divination that plumbed deeper than the national peculiarities; it was not Russian, but human. Had he not thus felt that what we may call the international sense of music was even more precious than its national interpretation he could hardly have stirred, as he has done, music-lovers all over the world.

It has often been pointed out that the greatest poets speak to the widest audience, that Shakespeare, Goethe, Dante are understood in some measure by all men, and that what they say is so universal that we

are apt to forget which is English, which German, and which Italian. The same thing is true, I think, of the greatest composers: Bach, Mozart, Beethoven, Wagner, Brahms, happen all to be German, it is true; but that seems rather accidental than essential to their quality. And in our own day, when intercommunication has so reduced the insulating power of space, it is surely a world-language that is spoken (with varying accents, of course) by such men as Strauss in Germany, d'Indy in France, Elgar in England, Rachmaninoff in Russia, and that is understood by intelligent music-lovers the world over.

PETTY RIVALRIES SURMOUNTED IN IDEAL REALMS.

Such a cosmopolitanism in so highly ideal and disinterested a pursuit as music seems to me to be as advantageous to the interests of peace as it is to those of art. Since international jealousies are likely to keep a certain degree of bitterness so long as they center on material objects which cannot be divided, it is most fortunate that they can sometimes be transformed into freer, more generous rivalries, taking place in those mental and spiritual arenas where possessions are increased by being shared. We may admire, but we are apt to envy, a person or a nation that outstrips us in the race for physical wealth, but in these more ethereal realms the work is undertaken in common, and the success of one is the success of all. If it be true that

competition is the law only so long as values are conceived as personal, then it is nowhere more likely to be superseded by a more magnanimous coöperation and community of effort than in those fields where the good sought is so universal in its nature, like artistic insight, that it cannot be conceived as anything but impersonal and free to all.

DANIEL GREGORY MASON.

AMERICAN LOVE OF PEACE AND EUROPEAN SKEPTICISM

WHEN Europeans discuss the leadership in matters of international peace and arbitration which the United States and the American people have assumed in recent years, they are quite apt to accompany a polite approval of such action with unmistakable signs of a feeling that the people of the United States are in this matter either indulging in a somewhat inexpensive sentiment or, if they are to be taken more seriously, are advancing a policy which their government itself does not adhere to consistently. No matter how carefully politeness may veil or repress these opinions, their presence is all but universal in Europe and people there believe more strongly in Yankee "smartness" than in Yankee idealism.

It may therefore be well for us from time to time to take stock of our ideas on international peace in order to see how firmly they are connected with the essential beliefs and experiences of our national life and in what manner they will have to be presented and urged so as to inspire confidence and evoke support among our European neighbors. The simple fact

which is not commonly recognized in Europe is that the peace sentiment of the United States is a natural outgrowth of our experience and is intimately connected with our fundamental concepts of polity and government. Europeans are too apt to see in it only a trite idealism with the expression of which men are always willing to throw a veil of respectability over actions of ordinary selfishness.

But as we look upon the idea of international peace secured by respect for law, from the point of view of our own history and institutions, it may certainly be affirmed that this ideal was not born of unthinking sentimentality but that it has its root deep in the life and experience of our nation. During our whole life as a nation we have not experienced a single serious foreign war, that is a war by which the people really felt their national life threatened. It has been an era of peace and freedom from the worries and burdens which the constant fear of attacks from without imposes. Protected both by its continental position and by the width of the oceans that wash our shores, the nation has been free to devote its energies undivided to the subdual of the forces of nature, to the winning of new regions for cultivation and homes. So the blessings of peace are with us constantly present; the assured condition of peaceful enterprise, undisturbed by risks and fears of war, we have known for generations, and the marvelous advance

which our nation has made is in no small measure due to this favorable situation. By contrast, in the one terrible struggle which devastated our lands and homes the horror of war most sharply made itself felt as its cruelties were not inflicted upon men of alien race with whom we might have but little sympathy, but upon our own brothers and fellow-citizens. The memory of this struggle has left an even deeper mark upon the national consciousness than could have been imprinted by any foreign war.

When therefore we appear at international conferences and on the forum of world-wide public opinion with proposals tending toward universal peace, they are backed with the experience of a century and a quarter of national life. We know from our own development what the lifting of the burden of militarism would mean to the advance of the world. But while we stand for these proposals with an ardor engendered by the strength of personal experience and not merely by the passing enthusiasm of the moment, we ought in urging these ideals to realize the difference in our position and that of the European nations and not to condemn any of them as utterly reactionary because they cannot immediately appreciate and adopt our point of view. They live crowded together in a small continent. They have the memory of antipathies of centuries to overcome. Their struggle for existence is grim, viewed from the swarming centers of Euro-

pean industry. Yet when we make them realize that against their feeling of their own troubled situation we set not a vague sentimentalism but a deep conviction engendered by experience, they are willing to give more credit to the American point of view and even to look to it for a solution of their own difficulties.

It is not only the experience of the past but the continuing situation and character of our national life that render the ideal of international peace the firmest foundation of American policy. The races which in Europe are confronting one another in hostile rivalry have all sent their children to our shores. While these do not forget the home from which they came nor are disloyal to its traditions, they enter with energy and enthusiasm into a new life raised above the plane of warring nationalities in the furthering of a joint effort for home, happiness, and fruitful enterprise as wide as the continent, a world in itself. So here again our national experience, our every-day life, demonstrate that human unity which underlies racial differences. The scions of the foreign races as they enter the life of America contribute to it some peculiar elements engendered by European nationalism; but in this we find no source of hostile rivalry based on national tradition. Thus again we become predisposed to look upon international affairs not from the angle of petty and factitious jealousies, but from the elevation of a nationalism that can be true to itself

only as it allies itself to a common humanity in all its aims and main purposes.

But the form of our government, as well as the spirit engendered of our experience, naturally predisposes us to favor friendly relations and the peaceful solutions of difficulties. Our nation contains in itself a great diversity of local character and interest, all balanced, held together, and made to co-operate for the common good by a federal system based upon law. When we consider the differences that have developed in the character and the methods of individual commonwealths in the United States even under the federal system, it will be easy for us to evoke a picture of the intense rivalry, bitter hostilities, the suspicions, dangers, and fears that would abound on our continent were each of these commonwealths fitted out with the complete machinery of political independence so that its most petty and selfish interests might control its action. What commercial warfare, what impediments to enterprise by citizens of another state, what artificial hindrances to great undertakings would such a situation make possible! From all this we have happily escaped through the development of a system which, while it respects local needs and characteristics, subordinates them to a proper interest in the development of the national life, which may be said to be equivalent to humanity in its aims, no matter how far even it may at times have been deflected through sel-

fish interests. So the experience of the federal system of government has accustomed us to seeing conflicts of interest, important enough to have stirred up the flame of war under different conditions, settled by the simple and normal means of recourse to law. Under the aegis of this protection our national life has assumed the reach and development in which we rightfully rejoice. The significance of American political experience in this respect is just beginning to dawn upon Europe and our constitutional history is now being studied by many abroad, not only for the purpose of gaining an understanding of our national life, but for the lessons it contains in regard to the possibility of organizing world-wide interests upon a basis of co-operation and recourse to law.

But it yet remains for us to speak of the most fundamental concept of American political life which is also exactly that principle from which our advocacy of international peace and arbitration springs most directly and derives its greatest strength. The federal system, as already indicated, is an expression of that sense of respect for law, of the willingness to let law decide even the most important conflicts of interest, which has always characterized American political life. This feeling of the importance of lawful solutions manifests itself in a respect for courts which borders upon veneration. With this feeling of respect for the law, with this long experience of the advantage of

having even the most important controversies settled by legal means, our nation comes very naturally to appreciate the benefits which would result were this principle applied to conflicts of international scope; in nearly all cases these questions are no more important nor more difficult of rational settlement than those which in the past have been successfully adjusted by our high tribunals. As under the rule of law our national welfare has been developed and our prosperity has advanced by leaps and bounds, we are convinced that the whole world and every individual nation would benefit by a similar normalization of international affairs through recourse to legal arbitration.

In our advocacy of international institutions we have gained only the less important goal should we achieve the establishment of a judicature empowered to enforce the law as it is plainly recognized by all. If we are to deprive war more completely of its *raison d'etre*, it will be necessary that there be found methods of developing international law so as to make it correspond to the vital needs of mankind and to render recurrence to violent means of vindicating rights less and less excusable. The great international conferences are a beginning of a legislative body, but as yet they are much hampered by diplomatic considerations. A world-legislation decreeing laws by majority of votes is still in the distant future and would involve a total departure from our present system of autono-

mous nations. Is there an agency by which international law could be developed gradually but on the basis of principles that would in themselves make possible, and in fact import, recognition also by a world conference with legislative attributes? We believe that for the time being definiteness in international law principles could be achieved best, if they were hammered out in such important litigation as would come before high courts of international judicature. Growing from precedent to precedent, adapting itself always more perfectly to the needs of the world, resting on principles of human reason tested in action, international law could grow strong in importance and authority. For by judicial interpretation conflicting points of view are dissolved, the better reason is gradually allowed to establish itself, new implications are seen in older and accepted principles, which in turn will be a guidance in the just settlement of controversies as they arise. Thus the law is conceived of as a growing, living organism not subject to artificial construction by wrong-headed caprice no matter how strongly endowed with temporary power.

It is this kind of jurisprudence that Americans are thinking of when they raise their voice for a high international judicature. It has been their experience for centuries, here and through the English system inherited by us, that law grows gradually by the application of human reason and experience to innumer-

able practical cases. This high appreciation of the virtue of experience and precedents is common to the legal system of Rome and that of England and America; its true spirit is at an immeasurable distance from the traffic in intricacies and technicalities that has become the byword of judicial administration. Its virtue lies in uniting stability with adaptiveness, and allowing a system of law to grow and gather strength through generations. It is in the light of this experience that Americans are urging the establishment of an international judicature, the collection of international precedents, the development of world-law as a system of practical rules developed through experience tested by reason.

That much further thought and effort must be expended before we can arrive at a clear and adequate conception of the form international legislative action is to take, requires no emphasis. But such legislation can be effective only if the ground is prepared for it through the judiciary, undertaking in a statesman-like spirit the application and development of international law. Thus through a gradual clarifying process, without the shock of sudden transitions, or the clash of arms, will our ideas of world-law grow to maturity. It is because our idea of the judicature and of judicial precedent embraces so much more than mere legal technicalities that our proposals are often misunderstood.

When we review the elements composing the American policy of international peace and arbitration and realize their intimate connection with the fundamental experience and ideals of our national life, we may indeed justly be filled with joy and satisfaction because a policy so noble and humane flows naturally from the fundamental conditions of our national existence; but we will also realize the high responsibility herein laid upon our government not to allow these principles ever to be made the means for advancing interests of a petty, selfish nature. The danger is constantly present that through the desire of gaining a petty advantage we may forfeit a large measure of that opportunity which our favorable position gives us to be instrumental in the establishment of broad, statesman-like action in the affairs of the world. *Noblesse oblige*; the marvelous advantages lavished upon us by nature are also an obligation for us not to descend to bending the foreign policy of this majestic commonwealth to petty aims of temporary advantage.

Secretary Hay's statement that American foreign policy has only two principles, the "golden rule" and the "open door," is well known. He and his successors have sought faithfully to secure the maintenance of equal commercial opportunity in China, and it is indeed a principle in the support of which national honor and national interest are completely at one. For what better economic situation could we wish for

in the world than that all its markets should be open without artificial political impediments to the enterprise of our commerce and industry? And yet how backward we often are about applying this policy whenever we are tempted by the hope of getting some little privilege to ourselves, petty and unimportant as it may be when considered in relation to the entirety of our foreign affairs! Thus we strive for a small differential preference in Brazilian import duties; we shut out foreign commerce from the Philippine Islands so far as lies in our power, at the same time inveighing against the illiberal commercial policy of France in her colonies; and when about to complete a great highway of the world's commerce which we have solemnly promised to keep open to all on equal terms, we are ready to discriminate for the purpose of securing a small incidental benefit to a particular national industry.

The treatment accorded to international treaties obtained with great effort by the Executive, which represent the carrying out of our declared and avowed policy, is also often short-viewed. In all these matters, we seem to lose sight of the cost of such inconsistencies in weakening our position when it comes to really fundamental policies. Senator Hoar's saying has become famous, "May I never prefer my country's interests to my country's honor." These words ought to be the motto of our foreign policy, whereas in actual affairs we often seem to think of the interests, not

even of the whole country, but of some influential group, before we consider what the honor and the fundamental policy of our country demand.

Those who realize how intimately the American ideals of international action are connected with the spirit of our institutions, how deeply they are rooted in our national life, will indeed hope that these relations may be thoroughly understood by the European nations whom we are endeavoring to influence in the direction of our own aspirations. Our policy is not based on sentiment; it is the outgrowth of our national destiny, it is inevitable and not a matter of choice for us. Yet frequently we allow our own government and ourselves to stand in the way of its realization, we permit the life principles of our commonwealth to be lowered to the character of impotent generalities, half veiling the play of petty interests. Our national policy must be seen as a whole in order that we may realize how seriously the achievement of our main purpose is often jeopardized by yielding to relatively unimportant interests and to importunities of the moment.

PAUL S. REINSCH.

THE RELATIONS OF BRAZIL WITH THE UNITED STATES

The relations between the United States and Brazil, that is, between the two greatest powers of the Western Hemisphere, have always been very friendly and are at present most cordial. They rest on a basis of loyal understanding and mutual respect, which excludes all idea of protection and subordination, an essential condition for an unreserved and profitable intercourse. If Brazil cannot boast of the population or of the wealth of the United States, she has nevertheless an almost equal size and most abundant resources, whether exploited or unexplored. The area of the United States reckons 3,617,673 square miles, including Alaska; that of Brazil, 3,218,130 square miles. The greatest rivers in the world run through their respective territories, and no other countries afford such an amount of economic possibilities, which in no few cases have already been turned into realities.

BEGINNINGS OF BRAZILIAN NATIONALITY

The political conditions of Brazil during the last century have also contributed in no small degree to this good feeling, which appears as one of the best factors of peace and one of the strongest elements of interna-

tional harmony in America. Brazil had scarcely to struggle for her independence, whereas the Spanish possessions underwent a most severe ordeal. Their war lasted fifteen years and was bloody and cruel. The spirit of loyalty in the colonies felt very keenly the usurpation of the Spanish crown by the French Emperor, and later the idea of liberty pierced through the refusal to submit to a foreign dynasty.

In Brazil, meanwhile, a national dynasty had been established by the removal of the Portuguese Court from Lisbon to Rio de Janeiro, when Napoleon's armies invaded the Iberian Peninsula, and declared the House of Braganza excluded from the throne. King John VI and his family stayed in Brazil from 1808 to 1821, a circumstance which gave the Brazilian progress a character of steadiness at which her neighbors could not aim, entangled as they were in their political turmoil.

EARLY RELATIONS WITH THE UNITED STATES

Diplomatic relations were soon established between the United States and the court of Rio de Janeiro. Thomas Sumter was appointed Minister to Rio de Janeiro on June 7, 1810, and stayed at his post until 1819, when John Grahain was dispatched. The first Brazilian Minister to Washington was José Manoel de Camara (May 13, 1810), who was succeeded in 1816 by Corrêa da Serra, a gifted scientist.

In 1815 Brazil was raised to the rank of a United Kingdom with rights and privileges equal to those of the mother country; but the United States, although a republic imbued with a true democratic spirit, felt perfectly at ease in dealing with a monarchy which, while still European in name and mind, was in fact already an American power.

A diplomatic representative to Washington was appointed by the Prince Regent of Brazil before independence was proclaimed and Dom Pedro became the first emperor of Brazil. The fact of the new American nation being an empire did not at all affect the friendly aspect of such international relations. The United States has never made of democracy an article of exportation; much less imposed it upon foreign countries. It contents itself with acting through the suggestion of its example of political wisdom and civic elevation. Moreover, the Spanish republics were at that time in so appalling a situation of social unrest and confusion, that it was a relief for the United States to have at least a possible mate on its own continent.

RECOGNITION OF THE MONROE DOCTRINE

Brazil was indeed the first American power to admit and rejoice at the Monroe Doctrine, which in its first meaning was so acceptable to young, thinly peopled and weak nations, over which hung the menace of re-colonization. On its side the United States was the

first foreign power to recognize the Empire of Brazil, on May 26, 1824; its independence dating from September 7, 1822. Portugal only admitted the accomplished facts by the treaty signed on August 29, 1825, through the mediation of the British Government, then in the hands of Canning, who, with the far-reaching sight of a statesman, had realized in full all the importance of the autonomy of the New World.

It is to be remembered that even England had commercial interests and humanitarian ideas at stake when she gave her help to Brazil. The British Government wanted the maintenance of a tariff which assured her mercantile profits and insisted on the abolition of the slave trade. The United States, on the contrary, was at that time rather disinterested in the matter, notwithstanding its keen attention to traffic: it had more in view American freedom and solidarity.

THE IDEA OF ALLIANCE EXCLUDED

The Brazilian Empire looked in vain for an offensive and defensive alliance with the *Great Nation of the North*, as the United States was styled at the time in the literary language of its sister nations of the South. Washington's able policy of no entangling alliances was too much of a political dogma, besides being a political necessity, to allow such an experience. The two countries continued, however, to gravitate toward one another.

Brazilian diplomatic papers of 1824 already refer to an "American policy," although perfectly conscious of the effect upon European Governments of both the expression and the novelty. A clear mention is found in the instructions to the Brazilian Chargé d'Affaires in Washington, signed on January 31, 1824, of the famous message of President Monroe of December 3, 1823. Such are the terms :

" The nature of the political principles of the United States is enough to hasten our recognition, and such principles derive from the President's recent message a more general application to all nations of this continent, as the necessity is therein stated of our union for the defence of our rights and territories."

This was the time of Bolivar's generous plans for an American confederation, for a modern Amphicyonic League sitting at Panama and ready to fight all reactionary designs from the Holy Alliance.

The resistance of Spain had been compelled gradually to vanish and had consequently ceased to be sufficiently dangerous to draw her former colonies together. Brazil had really even less to fear from Portugal, which since 1820 had within her own boundaries an open strife between liberals and absolutists. Political unions may begin henceforth to be expected from any conscious feeling: they were until now only to be derived from instinctive alarms.

AMITY STRENGTHENED IN RECENT YEARS

Yet the bonds uniting Brazil and the United States grew stronger every day. They were first economic, more than anything else, and afterwards became moral too. No serious incident ever happened to injure them. In the whole history of such diplomatic relations there are only to be found slight differences regarding sea prizes made during the war of 1825-28, as a result of the blockade of Argentine ports by a Brazilian squadron, and the capture of the privateer *Florida* by the cruiser *Wachusett* in Brazilian territorial waters (1864).

Brazil's acknowledgment of Maximilian's Empire in Mexico may be partially explained by this disregard for a foreign sovereignty, although it was mostly due to the need, experienced by the Brazilian Government, of courting European powers—France especially, where a Brazilian battleship was in construction, over which hung an embargo—in view of the war waged by Paraguay.

In every case of an international disagreement, the United States, notwithstanding its strength, gave full satisfaction to Brazil. The most recent case is the coffee valorization business, considered for a moment as falling under the laws against the trusts, but soon given its real meaning of a legitimate mercantile operation conducted by a Government in order

to protect the most important article of national production.

THE BONDS OF TRADE

Commercial relations between the two nations have been increasing every year, reaching the highest level among American countries. They were represented in 1911 by such figures as—\$106,183,528 for the importation in the United States of Brazilian products, and \$28,828,409 for the importation in Brazil of American products. The United States is the best customer for coffee and rubber—the chief articles of Brazilian exportation, the first reckoning \$72,814,428 out of that amount—but during the reciprocity agreement of 1891 entries of Brazilian sugar in American ports were threefold larger (80,000 tons in 1890, 240,000 tons in 1894). Brazil has long established dealings with European manufacturers and to her taste European articles are perhaps more suitable: the importation of American goods is, however, constantly in progress. In the lists of the Customs Houses, scientific instruments and locomotives figure immediately after flour and oil.

The American Government insisted more than any other on the opening of the Amazon and its tributaries to foreign merchant vessels, and this freedom was finally granted in 1867. In early placing emphasis upon commercial questions, which have always played

a capital rôle in its activity, American diplomacy has in this way foreseen the chief feature of modern foreign policy.

NEUTRALITY AND FRIENDSHIP

Moral sympathy followed in the steps of such economical relations and gave them a finer touch. Brazil's regard for the United States has occasionally become enthusiastic, and the United States, on its side, prizes at its true value the sincerity of Brazilian friendship, which was patent even when the Spanish-American nations resented the attack on their mother country, although apparently it pretended to be justified by the necessity for Cuban freedom.

Brazil neutral, but a firm friend, was the formula adopted for the situation of 1898 in that case. Brazil and England were in fact the only countries that did not distrust the American allegations of generosity and humanity in the matter.

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RECOLLECTIONS OF DOM PEDRO II, AND RECOGNITION OF THE REPUBLIC

The last Emperor of Brazil is still remembered in the United States. Many are living who will recall his presence at the inauguration of the Centennial Exhibition of Philadelphia in 1876 and his prolonged tour through the whole country, in which he

left the most pleasing impressions of his democratic and gentle manners, his wonderful activity, his keen curiosity, his highly cultivated intelligence, his noble demeanor and his humane feelings. The United States did not forget, when the Republic was proclaimed in Brazil, that Dom Pedro II had been the only sovereign to pay an official visit to the American Union, and the speeches delivered in Congress by men like Senator Sherman and Senator Edmunds were much more in praise of the great good monarch than of the revolution that overthrew his throne.

Blaine, who was then Secretary of State under President Harrison, on the other hand, was heartily in favor of the new republic; and the assistance given to his policy at the Pan-American Conference of 1889 (the same year of the proclamation of the Brazilian Republic) by the Brazilian delegate, Salvador de Mendonça, soon confirmed this feeling in the country at large. Such a change could not be better expressed than by the treaty of general and compulsory arbitration concluded between the two countries, and never ratified, simply because it was ahead of its time, which is a pretty good reason to its credit.

Mr. Salvador de Mendonça wrote recently that the cordiality between the United States and Brazil dates from Dom Pedro's journey: the respect and affection that he personally inspired gave birth to a deep regard for his people.

BRAZILIAN AND AMERICAN DIPLOMATS AS PROMOTERS OF CORDIALITY

Brazil had excellent representatives at Washington before Mr. Salvador de Mendonça; and after him Ambassador Nabuco made a lasting impression owing to his refined culture; but no one ever worked with such knowledge of American ways and such sympathy with American purposes. He was the right man at the right moment, and the American papers did not exaggerate when they published on his departure that he was leaving behind him 70 millions of friends, the whole population of the country at that time.

This remark was determined by his admirable farewell speech to President McKinley (1898), in which he pleaded for an equal assumption by all nations of the American continent of the duties and responsibilities of the Monroe Doctrine, so depriving this international formula of the exclusive and arrogant character that it had taken in their eyes.

The former Brazilian Minister may find his match in the present Ambassador from the United States, the Hon. Edwin Vernon Morgan, an intellectual man and a gentleman, who is winning every heart in Brazil and trying to make good in an honest and clever way the words of one of his predecessors, Richard Kidder Meade, who, on presenting his credentials to Dom Pedro in 1857, had frankly spoken—for the first time

on the American side—of an alliance between the two great powers on the destinies of which, as he said, were dependent the two great continents where they were respectively located. “Such an alliance,” the American Minister added, “will ensure for mutual defence, a unity of action and feeling that will prove invincible in the future.”

MORAL UNDERSTANDING BETWEEN THE TWO NATIONS

There was perhaps some underlying reference in this policy to a community of political and social interests caused by the maintenance of slavery in the South of the United States and in the whole of Brazil. These are things of the past, in the realm which specially belong to the historian. Relations are at present determined and stimulated by nobler feelings, or at least by reasons that can be openly avowed. Commerce may be the fundamental basis, but there is none the less a strong, ethical factor, and a political understanding is very much stronger when it rests on a foundation of economic union and intellectual intercourse.

VISIT OF THE BRAZILIAN MINISTER OF FOREIGN AFFAIRS

The United States is now receiving an official testimony of Brazil's amity. Thirty-seven years after the Emperor's voyage, the Minister of Foreign Rela-

tions of the Republic has landed on American soil, to return the call of the Secretary of State Elihu Root, and repeat to the President of the United States that his country has no better friend than Brazil, no nation which nurtures for the American Union a stronger sentiment of moral solidarity.

The utterance will be so much the more easily believed in that it will not come from the mouth of a professional diplomatist, as a more or less perfunctory automatic song of friendly tune. Mr. Lauro Müller is a man of scientific attainments, a military engineer of the Goethals type. He was the leading spirit in the development of the Brazilian harbors and railways before becoming Minister of Foreign Affairs. In this position he has so dealt with the foreign relations of Brazil as to free them from all suspicion of political intrigue and lend them an element not only of profound national loyalty but of modern progress.

ARBITRATION AND INTERNATIONAL POLITICS

Controversies between nations, like controversies between individuals, are of two kinds—those involving a difference of opinion over some agreement, or a disputed claim to some property, or an actual injury which may be atoned for by money damages; or they are controversies involving the rivalry of prestige or the antagonism of classes, or mere personal jealousy. In civil society the controversies of the first class are settled in court according to some well-established legal rule or principle, while those which involve the personal relations are left for psychological and economic forces to settle. In international society the same rule tends to hold. There has been developed an international law, based on elementary principles of fair dealing between nations, and temporary courts have been formed to decide from time to time questions which have been susceptible to decision according to this code. Arbitration has proved comparatively easy and profitable in the past in adjusting these disputes that had their grounds in accepted relations defined in law and custom. But the universal custom, where conflicts of policy were concerned, or where an issue had arisen between nations

concerning their "vital interests" or "honor," has been to submit the arbitrament to war. The gravest international questions, however, are over just these rivalries of policy, such as national expansion or national glory; these are the questions that lead to war, and it is to the peaceful solution of questions of this character that the chief energies of the Peace Movement should be directed. In such questions there is no question of law involved, indeed sometimes no question of right—both parties to the controversy may be equally right or equally wrong. It has been difficult for men to see how such disputes could be resolved by arbitration. This is not to say, however, that a peaceful resolution is impossible. Too many peace enthusiasts assume that arbitration is universally efficacious not to make it worth while to consider how really difficult the application of the principle of international arbitration is to the question of international politics. Arbitration has been undeniably successful in legal dispute; it is worth while, in seeking to extend it to political disputes, to ask what other media are in existence besides the arbitral tribunals working for the peaceful settlement of such controversies; and what economic and psychological forces are tending to destroy the relevance and even the possibility of war and make the political rivalries of nations as bloodless as the rivalries of manufacturers and merchants in the securing of more markets.

ARBITRATION AND TREATIES

Arbitration has been successfully employed since the Middle Ages to settle international differences based on questions of law and fact. The earliest arbitration agreements between States were concerned with the interpretation of treaties. Now a treaty is simply a contract between nations; it contains definite stipulations, the observance or infringement of which is a matter easily determinable by an impartial arbiter, just as a breach of contract is determinable without cavil by a judge in a civil court. Arbitration is therefore in no sense a successor of war, but a historic institution, employed from the earliest rise of independent States by the most enlightened governments in Europe as a means supplementary to war in settling questions which involved the breaking of agreements or the violation of commercial contracts. The Law Merchant of the later Middle Ages, by which the commercial regulations of all Europe were adjusted and commercial justice guaranteed and executed, was simply a code—the first code—of international arbitral procedure. The practice of adjusting financial claims held by the citizen of one State against the citizen of another, or against that State itself, so recently typified by the Venezuela case of 1903, is but an extension of this principle in a wider sphere and international aspect.

ARBITRATION AND BOUNDARIES

Another class of questions which have proved for many years highly susceptible of arbitration is that of boundary disputes. Controversies over boundaries are difficult of direct negotiation, because they seem to involve national "honor" and prestige, and they have, in the past, often threatened and sometimes actually caused war. Each side holds out strongly for its own interpretation of the evidence to the title. And yet it is often merely a matter of historical research (that is, a question of fact), or a question of the meaning of a treaty (that is, a question of law) to determine the boundary line. Yet it is an irritating question between the two nations as long as it remains unsettled, and prudence demands a definite and speedy settlement. So imperative is the need of some decision that each side will, in the long run, prefer a settlement slightly unfavorable to its own side to no decision at all. Given such conditions as these, the success of international arbitration is assured. Ample demonstration of this fact has been given in the experience of the South American republics during the past hundred years. Indeed, the occasional and spectacular internal disorders of those far-away countries have blinded the eyes of the rest of the world to the almost irreproachable character of their international relations and the triumphs which arbitration has won

among those States. They are knit together in a web of permanent arbitration treaties, and the complete success which has been achieved in determining the vague lines of division, caused by conflicting and inaccurate surveys and uncertain territorial allotments left as a legacy from Spain's occupation of the great half-explored continent, shows the possibilities of arbitration in questions of law and fact.

THE NATURE OF THE HAGUE CASES

If we examine the character of the cases that have thus far been decided by the Hague Court, we shall find that they are practically all cases concerning the interpretation of treaties, or the execution of treaties, such as the Pious Fund case, the Atlantic Fisheries case, the Japanese House Tax case, the Muscat case; or questions concerning the assessment of commercial damages, such as the Venezuela case of 1904; or questions of jurisdiction, such as the Casablanca case between France and Germany in 1909, and the Savarkar case of 1911. Much of the disappointment at the comparative ineffectiveness of the court has arisen from a lack of comprehension of this fundamental distinction between the arbitration of legal cases and the arbitration of political cases. It has proved its success in settling questions of law or fact; it cannot be expected to take over at once the settlement of the delicate modern questions that involve the "vital interests" and

“honor” of disputing nations. In fact, it is more important that a large body of international law and procedure should be built up than it is that its work should run the risk of being ruined by a false move in attempting to settle questions of policy which can, at the present time, be better settled in the chancellories of Europe. The value of arbitration has been in the past and will be for a long time to come the determination of law. The skilful arbitrator will look more to the formulation of a sound principle of international law and the practical and fruitful application of some recognized principle than he will to the adjustment of immediate irritations. “To employ pacific arbitration in legal controversies is to weaken international law and interpret falsely the conception of justice; to resort to judicial arbitration in political controversy is to endanger peace. To distinguish between the pacific and judicial functions of arbitration is to promote its growth.” (N. Politis.)

The crux of the difficulty in extending arbitration to questions of policy and prestige lies in the fact that such international differences are qualitative rather than quantitative. In the legal cases, decisions can often be given in exact terms, land measured, injuries or claims compensated by definite money damages. Then the State has gone into court not as a party to the contest but as the counsel for its citizens. It is different when the sovereign nation itself is haled be-

fore the judge. Each side, since there are no rules at hand to govern the case, fears the entrance of the personal equation into the final decision. It is this sentiment more than any other which has prevented the Hague Conferences from giving their consent to the principle of obligatory arbitration.

THE SETTLEMENT OF POLITICAL DIFFERENCES

What institutions or media can we find then to supplement the work of arbitration in the settlement of questions of policy and prestige? We can hardly expect the nations to form spontaneously a gentlemen's court of honor, though a serious and noteworthy suggestion has recently been made by Mr. Marburg, with special reference to the policing and protecting of backward countries. The development of an "international public opinion," suggested by Mr. Elihu Root, would be a long step towards the securing of that international police force and executive power which seems to be necessary before the principles of criminal jurisprudence can be introduced into international law. The existence of a world executive or an agreement between the strongest powers to execute the sentences of the arbitral court by armed force would, of course, mean the extension of arbitration to political cases. But it is evident that the willingness to make this extension would be the cause rather than the effect of such a world executive, and in the

present European rivalry such a willingness seems far distant. In the development of private law, too, criminal law followed long after civil law. Until our international civil law is further developed, then, we can hardly look for the perfection of an international criminal law.

Of formal institutions, those that hold out most promise for the settlement of political differences, are the International Conference and the International Commission of Inquiry. The Hague Conference itself is a striking illustration of the possibilities of the meeting together of diplomatic representatives to settle international questions by mutual agreement. For the Hague Conference is in reality a diplomatic gathering, the logical successor of the great historic conferences of Munster, Utrecht, Paris, Vienna and Berlin, the striking difference being, however, that whereas they were called to restore peace after a period of warfare, the Hague Conference was called during a period of peace to plan for the amelioration of war. The potentialities of the Third Conference are almost limitless. The opportunity to discuss policies that may guarantee the peace of all Europe will not be lost sight of by the advanced and peace-tending nations. The value of the International Conference on a smaller scale was shown in the Algeciras meeting of 1909 between the representatives of Germany, France and Spain, when conflicting and apparently irreconcilable

interests in Morocco were harmonized through mutual agreement and compromise. The International Commission of Inquiry (which met the indorsement of the Hague Conference) whose function is to discover the facts in a dispute arising suddenly and from obscure or unknown causes, in order to afford time for the subsidence of passion and the passing of the acutest stages of the dispute, has shown its efficacy in the Dogger Bank episode between Russia and Great Britain in 1905. These two institutions are bound to come more and more into use in the solution of acute political controversies, and are admirably adapted, even in the present over-heated atmosphere of world politics, to accomplish all that direct arbitration would.

The future in Europe is full of ticklish situations. The Congress of Berlin in 1878 closed a long era of war for the possession and consolidation of European territory. With the unification of Germany and the freeing of the Balkan states, the center of gravity of international politics shifted from Europe to the conflicting spheres of interest in Asia and Africa. A long period seems now about to ensue of adjustment of power and influence, accompanied by inevitable boundary and trade and colonial disputes. It will all be accomplished with a fraction of the bloodshed and labor that was wasted on the similar process in Europe. The Hague Court provides the machinery for

the settling of the legal questions involved; the political questions will be settled by diplomatic negotiation and international conferences and commissions. Slowly we may expect, as an international public opinion is formed, to see a body of criminal international law developed, and the most crucial questions of international interests resolved by arbitration. Meanwhile none of the media can be neglected. The peaceful settlement of international disputes, based on rivalries of *prestige*, must be the supreme aim of the Peace Movement.

THE ABOLITION OF WAR

Such a peaceful settlement is being furthered by the recognition that is rapidly permeating the minds of the Western peoples that the world is a unit. The wits of the diplomats are being sharpened by the discovery that war does not pay. International conference and negotiation has become an actual economic necessity. The enormous development of industrial technique during the last century, the utilization of natural resources, combined with the existence of a flood of capital ready to flow to any part of the earth that needs it in its economic development, have produced an economic interweaving and interdependence of the nations that is without parallel in history. Capital knows no country; by foreign investment nations are knit together in bonds which defy all irra-

tional prejudices and sudden or age-long jealousies. There is an international system of credit so delicate that a shock at any point means calamity to the entire fabric. The successful conquest of one nation by another would mean simply the destruction of the financial prosperity of the conqueror. Even the conquest of an undeveloped country like Tripoli hardly redounds to the prosperity of Italy, for the latter will depend upon foreign capital for the development of the resources, and the riches of Tripoli will drain away to the profit of the financially capable nations.

The idea is also seeping down through the racial consciousness of the Western peoples that war is physically suicidal as well as economically unprofitable. War eliminates not the unfit, as its admirers so fondly claim, but the fittest and best. Europe is weaker, not stronger, for the men she has lost in war. This country is mentally and morally feebler for the slaughter of her finest manhood in the Civil War. The very perfection of armaments and the terrific drain of cost is already making warfare almost impossible. The nations are now on the verge of bankruptcy, and actually do not dare to fight.

These are the economic and psychological forces that are driving physical aggression and coercion from the field of international relations, and bringing diplomacy and arbitration to the front, not as supplements, but as actual substitutes for war. The various in-

stitutions which we have considered above are becoming the institutional expression of a world-consciousness analogous to the consciousness of ethnic or national unity. A real feeling of "internationality" is being born. While we have been hoping, the nations have become linked in an interweaving of interests so powerful that the successful functioning of each part depends upon the prosperity of every other part. World-wide arbitration or world-federation will be but the recognition of the fact that war is world-suicide. Nations will fight only when the world has lost all its hope and all its sanity.

RANDOLPH S. BOURNE.

JAPANESE CHARACTERISTICS

In the present condition of the Eastern world it is highly desirable that the American people, and indeed, all the Occidental peoples, should come to know well the qualities and ambitions of the Japanese people. Having had the opportunity of observing carefully a succession of intelligent Japanese students at Harvard University, a succession which began in 1871-2, having known personally several of Japan's leaders since the Restoration of 1868 and many Americans who have served in Japan as teachers, and having recently had a favorable opportunity of talking with a considerable number of Japan's leading men on Japanese social conditions, industries, and government policies, I desire to put my observations on the Japanese at the disposition of thinking Americans, through the medium of the American Association for International Conciliation.

The Japanese are, as a race, distinct from other Orientals. They are unlike the Chinese, the Siamese, the Javanese, or the natives of India. Their physical, mental, and moral characteristics distinguish them from other Oriental races ; their social and political history has been different ; and since the Restoration of 1868 they have taken on Western civilization with a rapidity and a skilful adaptation to their own civilization which no other Oriental nation has ever approached. They have seized upon Occidental law, economics, and science, and made all the modern applications of these knowledges with marvellous alacrity and intelligence. They have built up a great system of public instruction from the primary school through

the university, at first in the higher grades with the aid of many foreign teachers, now replaced for the most part by native teachers. They have learned and put into practice all the Occidental methods of warfare on sea and land, and have proved that they can face in battle not only the yellow races, but the white. They possess in high degree intelligence, inventiveness, commercial and industrial enterprise, strength of will, and moral persistence.

With extraordinary rapidity the Japanese have introduced into their country the factory system, and all the instrumentalities and means for developing large-scale manufactures, transportation systems, and the financial institutions, such as banks and insurance companies, which make possible great industrial developments. They have built many railroads, though not enough, many street railway lines, bought and built admirable steamships for both freight and passenger traffic, established hundreds of banks, introduced into the country insurance of all kinds; and all these industrial and commercial institutions they conduct and operate with astonishing success. Great steamship lines run both east and west from Japan, and far to the south. In all these vast undertakings the Japanese have had the advantage of copying models or types already in existence among the Western nations; but they have shown remarkable capacity not only in imitation, but in adaptation of Western institutions and processes to Japanese conditions. In adopting the Western methods of taxation and government finance, they have in some instances bettered Western practice. For example, when the Japanese government decided to substitute the gold for the silver standard, the Japanese leaders studied carefully the experience of the United States in going from paper and silver money to gold, and accomplished in two years a difficult process

which in the United States took thirteen years. Japan learnt quickly and easily the art of borrowing money heavily for war purposes, and also appreciated much sooner than many a European nation has done that she had got to the end of her tether in borrowing. Her factory system is feasible at present, but will soon become impossible; for the labor is done under conditions which do not now exist in any other civilized country, and indeed, have not existed in Europe since the first quarter of the nineteenth century. The Japanese are well aware that the conditions of labor in their factories must be ameliorated, with a resulting increase in the cost of their manufactured goods, and have already adopted laws for the regulation of hours and conditions of labor, the execution of which they have postponed for a few years.

The Japanese have seized upon all the applied sciences developed in Europe and America during the last century, particularly on the sciences subsidiary to medicine and surgery, have established all the means and instrumentalities of preventive medicine throughout the Empire, and have created a well-trained profession of medicine. Their point of view in respect to the prevention of disease and premature death is that of efficiency. They fight cholera, smallpox, bубonic plague, beri-beri, and all the ordinary contagious diseases, in order that the working efficiency of the population may be maintained at a high level. Wherever the government has under control large numbers of men and women, as, for example, in the army, the navy, the police force, the public hospitals, asylums, and convalescent stations, they force changes of diet on the persons under authority. For instance, they mix barley with the rice, or they put more meat or fish into the rations issued. Beri-beri was driven out of the navy by compulsory changes in the rations, whereby

the men got more protein substance in their food. In all such government activities the motive is to increase the efficiency of the army, navy, police, or laboring population. In all their dealings with contagious disease they enforce strictly all the measures of isolation and segregation which the experience of the world has proved efficacious, and they use with the utmost intelligence all the means of prevention, and also all the remedies or means of cure which experience in any part of the world has shown to be effective. These practices prove great intelligence not only in the government, but also in the common people as a whole; and the results of their practices in preventive medicine, in their hospitals and dispensaries, and in their treatment of private cases have more than equalled that of any Occidental nation. Considering that it is only forty-five years since the profound changes in Japanese government and society began, the achievements of the race are nothing short of marvellous. They prove beyond question that the Japanese possess as a race fine physical, mental, and moral endowments. Their dominant sentiment is an intense patriotism, in which pride, loyalty, and love are ardently united. Are they, then, a formidable and dangerous addition to the competing national forces of the world? Is their demonstrated strength dangerous to the peace of the world and to the white race?

The Japanese are not a warlike people, in spite of the fact that they have waged within a few years two wars in which they took the part of invaders. The war with China and the war with Russia were both in reality defensive wars. Over against Japan on the continent of Asia two huge nations, Russia and China, are in possession of immense territories. Bitter experience had satisfied the Japanese leaders that Japan would not be safe at home on her islands, if Korea

and Korean harbors were in the hands of either one of her immensely powerful neighbors. In those wars the common soldier's motive was an intense patriotism—not love of glory or a natural love for fighting, or a desire for new conquests and possessions.

The Japanese are not a numerous people. They number not more than one-ninth part of the Chinese population, or more than one-third of the population of Russia, and less than one-half of the population of the United States.

They are a homing people. They are commercially adventurous, and will travel far and wide as peddlers, or in search of trade or work; but they are not colonists. The Japanese government has had great difficulties in inducing Japanese to settle in Formosa; and at the present moment it has a similar difficulty in Korea, although the Korean climate resembles that of Japan. A hot climate the Japanese dislike. They would have no more use for the Philippines than Americans have. If a Japanese trader makes money in a foreign country, he will take his family and his money back to Japan as soon as he can. Under favorable conditions, climatic, industrial, and social, a few Japanese might really settle in a foreign land, become naturalized, and let their children lose connection with Japan; but they would be exceptional persons.

When the Japanese go abroad on business, they do not intermarry with women of the foreign races. At home or abroad, they keep their race pure, thus affording a surprising contrast to the white race when in foreign parts. The inexpedient crossing of different races will not be promoted by the Japanese in any part of the world.

The desire for children in a Japanese family is intense. The women are as a rule fecund, and all mothers nurse their babies. Milk-producing animals

having been scarce, the artificial feeding of infants has been practically unknown. The declining or disappearing family is not a common phenomenon in Japan, as it is in France, England, and the United States; a fact which is evidence that the general conditions of life in Japan are now more favorable to the building up of a strong, enduring, and achieving nation than they are in the Occidental countries mentioned. In short, their present civilization is more likely to endure by the century, now that it can defend itself against attacks from without, than the civilization of several Occidental nations. No matter what the intellectual achievements of a nation may be, they will all be lost as time goes on, if the physical bases of the national life cease to be wholesome, and natural child-bearing declines through the effects of vice or any sort of physical degeneracy. No Oriental race seems to suffer as the white races suffer from the alcoholic temptation; and the venereal diseases do not seem to have been so destructive among any Oriental people as they now are among the white races. The dangerous opium habit is Chinese, but not Japanese. The Japanese nation is not threatened, as the American people are, with increase in the number of defectives in mind or body who breed their like without restraint. The physical and moral conditions of Japanese society have not developed this hideous evil, to the existence of which the Occidental nations have only lately awakened. The Japanese have had no such legislation as that which in Massachusetts requires defective children, who have been kept under guardianship until they are twenty-one years of age, to be set free from all restraint at that age, with the general result that the discharged young people fall at once into vicious ways, from lack of experience and self-control.

The Japanese are enterprising industrial people and

keen traders, but at the present day they can be satisfactorily dealt with by foreigners with no greater precautions than are usually taken by prudent men of business in dealing with Occidental peoples. This fact is one of the results of universal education in Japan; for under the Japanese feudal system the trader held the lowest place in the social structure, because in the Japanese view he was not a producer. Good business ethics and particularly the sanctity of contracts have now been taught in all Japanese schools for more than a generation; and the Imperial Government has recognized the importance of commerce and trade in modern civilization by conferring titles and other distinctions on successful and serviceable business men. The American agents in Japan of large American corporations, such as the Standard Oil Company and the Singer Sewing Machine Company, declare without reservation that the Japanese are just as satisfactory people to deal with as the Americans. Casual tourists, who see nothing of the Japanese except in the hotels and in the few shops for foreigners which they visit, sometimes get the impression that much chaffering is necessary in order to obtain Japanese wares at proper prices; but this is not a characteristic habit of Japanese dealers among themselves, and even the foreigner will find it easy to discover in any considerable Japanese city or town shops where the prices are just as fixed as they are in American department stores, and are equally plainly marked on the goods offered for sale. There has long been current among foreigners resident in the Orient the statement that the Chinese are honest, and the Japanese dishonest, and that the Japanese do not trust each other, but employ Chinese cashiers and accountants in their banks and shops. The fact is, that there is not a Chinese cashier or accountant in any one of the hundreds of banks in

Japan. From top to bottom, the employees in Japanese banks, insurance offices, and all considerable mercantile offices are Japanese. It is many years since there was any foundation in fact for the saying common among American and English merchants in the East, "You may sell anything for future delivery to a Chinese, but nothing to a Japanese." Large business in Japan, as everywhere else in the world, is done on credit, and involves being trusted by a multitude of people, and also trusting a multitude. As a rule the mutual confidence is justified; but in Japan, as elsewhere, it is sometimes betrayed.

The Japanese are accused, chiefly by Occidental army and navy men, of intending to "dominate the Pacific," and to seize upon the insular possessions of other nations in the Pacific. There is no truth in these accusations. All Japanese statesmen and political philosophers recognize the fact that Japan is, and always will be, unable to "dominate the Pacific." No one nation in the world could possibly control the Pacific Ocean. For that purpose a combination of at least four powers having powerful navies would be necessary. Five or six powers combined, such, for example, as Great Britain, Germany, France, the United States, Japan, and Russia, or Italy, could do it, and at the same time "dominate" all the other oceans and seas. There are many who think such a control by combination would be desirable. All Japanese leaders recognize that it would be impossible for either Japan or the United States to send an army of a hundred thousand men with their baggage, munitions, animals, and stores across the Pacific Ocean in safety, although the fleet should be convoyed by scores of battleships and armored cruisers. The means of attack at night on a wide-extended fleet in motion, by almost invisible vessels, are now too many and too formidable. If by

miracle such an army should effect a landing on either shore, it could achieve nothing significant, unless promptly reinforced by a second and a third expeditionary army of equal size. The scale of modern warfare among civilized nations is too large for such remote expeditions.

Japan, being heavily burdened with debts incurred in carrying on her wars with China and Russia, could not borrow the money necessary in these days for waging aggressive war on a large scale at a distance—although she might fight successfully a defensive war at or near home. That she could doubtless do, as many other poor nations have done; but her financial condition is such that she will be prevented from engaging in offensive war for at least a generation to come. Moreover, the government and the industries of Japan need all the capital which Japanese merchants, manufacturers, and financiers can possibly accumulate during another generation, for the execution of public works and the expansion of industrial undertakings at home.

The commercial and industrial interests of Japan require peace with all the other nations of the world. There is no interest of Japan which could possibly be promoted by war with the United States or any other nation; and, conversely, there is no interest of the United States which could possibly be promoted by war with Japan. I was repeatedly assured last summer in Japan that such was the opinion of every Japanese statesman and man of business; and many of the gentlemen with whom I talked said that they had never met any Japanese political or commercial leader who was not of that opinion. The entire commerce between Japan and the United States is for the mutual advantage of each country; and the United States is Japan's best customer. War between the two coun-

tries is not to be thought of; and to suppose that Japan would commit an act of aggression against the United States which would necessarily cause war is wholly unreasonable, fantastic, and foolish, the product of a morbid and timorous imagination.

The right state of mind of Americans toward Japanese is one of hearty goodwill and cordial admiration. The Japanese should have every privilege in the United States which the "most favored nation" has; and that is all Japan wants from the United States. Her statesmen by no means desire any extensive migrations of Japanese people to other lands. On the contrary, they want Japanese emigrants to settle in Japanese territories. The Japanese home industries need all the labor that the population can furnish. The Japanese economists greatly prefer to the planting of Japanese capital or labor in foreign lands the recent methods of planting foreign capital in Japan, and the development of Japanese industries at home. This preference is natural and judicious, and it is noticeable that foreign capital is promoting in Japan the new kind of industrial development. When an American corporation, which is conducting at home a successful industry, sells its patents and methods to a Japanese body of capitalists, and then takes a considerable portion of the stocks and bonds of the Japanese company, American capital finds a profitable investment, the Japanese laborers remain at home, and the product of the Japanese industry is sold to advantage in the markets of the world.

Religious conditions in Japan cannot but be interesting to all the Occidental nations whose development has been strongly influenced by the Christian church. Christians of all sorts who take any interest in the Christian propaganda would like to know what sort of a reception Japan may be expected to give to

Christian dogmas, creeds, rituals, and ecclesiastical organizations, Greek, Roman, or Protestant, Anglican, Lutheran, Methodist, Baptist, or Unitarian. The government of Japan maintains an impartial toleration of all the religions which co-exist within the Empire. To the government Shintoists, Buddhists, Confucians, and Christians all stand on the same level, and are equally entitled to protection and freedom of worship. Shintoism is hardly a religion. Any Japanese will say of himself that he is a Shintoist, because he is Japanese. Shintoism gives a strong religious sanction to patriotism; and, like the Chinese Confucianism, expresses itself in veneration for the Emperor and for ancestors. In a Shinto shrine at Tokyo great paper rolls are deposited, which bear the names of the Japanese soldiers from that district who were killed in the war with Russia. Twice a year, in spring and fall, the Japanese nation, by the Emperor, the great state officials, the army, and the navy, goes to that shrine, and venerates the dead whose names are there recorded, because those young men died for their country before they had any children to venerate them. Therefore the nation with religious solemnities and military pomp takes the place of the children that never were born. On those semi-annual occasions the railroads of Japan offer round-trip tickets at greatly reduced rates to the relatives of the dead, that they may attend the ceremonies. The observance recalls Memorial Day in the United States; but the services are more religious in character and more impressive, because the nation performs them rather than the surviving comrades of the dead. That Shinto shrine is the barest possible room. There is no picture or image in it, and no furniture; and the object to which the short and simple ritual there used is directed is a silken screen of neutral tone on which there is no

writing. If such an observance be idolatrous, as some missionaries affirm, it is idolatry without an idol or even a relic.

The Japanese Buddhist finds the transition easy to the Roman Catholic Church, as regards both beliefs and religious practices, or observances. He got his Buddhism as an importation from a foreign country, so that he is not wholly unprepared to accept another importation; but it is impossible to interest a Japanese Buddhist, or a Chinese Buddhist, in the Christian dogmas and creeds which have had high historical importance in Europe and America. He can see no sense in them; and as to anchorites, healers, and saints he finds the Buddhist religion more amply equipped with them than the Christian.

The work of the American and European missionaries in Japan has been greatly hindered by the divisions in the Christian church, divisions attributable to differences in dogmas, creeds, or polity. The Japanese cannot understand such reasons for division, and they cannot be interested in them. If Christianity is to get a strong hold on the nation, it will be in some simple form which relies chiefly on the doctrines that God is love, that men are the children of God and therefore brethren, that the best way to serve God is to serve man, and that a man's habitual conduct toward fellowmen is the best available test of the practical value of his religious convictions.

There can be no doubt that the Japanese field is wide open for the advent of a simple, rational form of Christianity; and it is also clear that the educated Japanese are in search of religious motives adequate to keep the lives of their children pure and strong, and to inspire the nation with the love of truth, and the expectation of unlimited human progress toward universal justice and goodwill.

HIGHER NATIONALITY

It is with genuine pleasure that I find myself among my fellow-lawyers of the New World. But my satisfaction is tempered by a sense of embarrassment. There is a multitude of topics on which it would be most natural that I should seek to touch. If, however, I am to use to any purpose the opportunity which you have accorded me, I must exclude all but one or two of them. For in an hour like this, as in most other times of endeavour, he who would accomplish anything must limit himself. What I have to say will therefore be confined to the suggestion of a little more than a single thought, and to its development and illustration with materials that lie to hand. I wish to lay before you a result at which I have arrived after reflection, and to submit it for your consideration with such capacity as I possess.

For the occasion is as rare as it is important. Around me I see assembled some of the most distinguished figures in the public life of this Continent; men who throughout their careers have combined law with statesmanship, and who have exercised a potent influence in the fashioning of opinion and of policy. The law is indeed a calling notable for the individualities it has produced. Their production has counted for much in the past of the three nations that are represented at this meeting, and it means much for them to-day.

What one who finds himself face to face with this assemblage naturally thinks of is the future of these three nations, a future that may depend largely on the influence of men with opportunities such as are ours. The United States and Canada and Great Britain together form a group which is unique, unique because of its common inheritance in traditions, in surround-

ings, and in ideals. And nowhere is the character of this common inheritance more apparent than in the region of jurisprudence. The lawyers of the three countries think for the most part alike. At no period has political divergence prevented this fact from being strikingly apparent. Where the letter of their law is different, the spirit is yet the same, and it has been so always. As I speak of the historical tradition of our great calling, and of what appears likely to be its record in days to come, it seems to me that we who are here gathered may well proclaim, in the words of the Spartans, "We are what you were, we shall be what you are."

It is this identity of spirit, largely due to a past which the lawyers of the group have inherited jointly, that not only forms a bond of union, but furnishes them with an influence that can hardly be reproduced in other nations. I will seek to look ahead. I will ask you to consider with me whether we, who have in days gone by moulded their laws, are not called on to try in days that lie in front to mould opinion in yet another form, and so encourage the nations of this group to develop and recognise a reliable character in the obligations they assume towards each other. For it may be that there are relations possible within such a group of nations as is ours that are not possible for nations more isolated from each other and lacking in our identity of history and spirit. Canada and Great Britain on the one hand and the United States on the other, with their common language, their common interests, and their common ends, form something resembling a single society. If there be such a society, it may develop within itself a foundation for international faith of a kind that is new in the history of the world. Without interfering with the freedom of action of these great countries or the independence of their constitutions, it may be possible to establish a true unison between Sovereign States. This unison will doubtless, if it ever comes into complete be-

ing, have its witnesses in treaties and written agreements. But such documents can never of themselves constitute it. Its substance, if it is to be realised, must be sought for deeper down in an intimate social life. I have never been without hope that the future development of the world may bring all the nations that compose it nearer together, so that they will progressively cease to desire to hold each other at arm's length. But such an approximation can only come about very gradually, if I read the signs of the times aright. It seems to me to be far less likely of definite realisation than in the case of a group united by ties such as those of which I have spoken.

The chance of laying before such an audience as this what was in my mind made the invitation which came from the Bar Association and from the heads of our great profession, both in Canada and in the United States, a highly attractive one. But before I could accept it I had to obtain the permission of my Sovereign; for, as you know, the Lord Chancellor is also *Custos Sigilli*, the Keeper of that Great Seal under which alone supreme executive acts of the British Crown can be done. It is an instrument he must neither quit without special authority, nor carry out of the realm. The head of a predecessor of mine, Cardinal Wolsey, was in peril because he was so daring as to take the Great Seal across the water to Calais, when he ought instead to have asked his Sovereign to put it into Commission.

Well, the *Clavis Regni* was on the present occasion put safely into Commission before I left, and I am privileged to be here with a comfortable constitutional conscience. But the king has done more than graciously approve of my leaving British shores. I am the bearer to you of a message from him which I will now read:

“I have given my Lord Chancellor permission to

cross the seas, so that he may address the meeting at Montreal. I have asked him to convey from me to that great meeting of the lawyers of the United States and of Canada my best wishes for its success. I entertain the hope that the deliberations of the distinguished men of both countries who are to assemble at Montreal may add yet further to the esteem and goodwill which the people of the United States and of Canada and the United Kingdom have for each other."

The king's message forms a text for what I have to say, and, having conveyed that message to you, I propose in the first place to turn to the reasons which make me think that the class to which you and I belong has a peculiar and extensive responsibility as regards the future relations of the three countries. But these reasons turn on the position which Courts of Law hold in Anglo-Saxon constitutions and before I enter on them I must recall to you the character of the tradition that tends to fashion a common mind in you and me as members of a profession that has exercised a profound influence on Anglo-Saxon society. It is not difficult in an assemblage of lawyers such as we are to realise the process by which our customary habits of thought have come into being and bind us together. The spirit of the jurisprudence which is ours, of the system which we apply to the regulation of human affairs in Canada, in the United States, and in Great Britain alike, is different from that which obtains in other countries. It is its very peculiarity that lends to it its potency, and it is worth while to make explicit what the spirit of our law really means for us.

I read the other day the reflections of a foreign thinker on what seemed to him the barbarism of the entire system of English jurisprudence, in its essence judge-made and not based on the scientific foundation of a code. I do not wonder at such reflections. There is a gulf fixed between the method of a code and such

procedure as that of Chief-Justice Holt in *Coggs v. Bernard*, of Chief-Justice Pratt in *Armory v. Delamirie*, and of Lord Mansfield when he defined the count for money had and received. A stranger to the spirit of the law as it was evolved through centuries in England will always find its history a curious one. Looking first at the early English Common Law, its most striking feature is the enormous extent to which its founders concerned themselves with remedies before settling the substantive rules for breach of which the remedies were required. Nowhere else, unless perhaps in the law of ancient Rome, do we see such a spectacle of legal writs making legal rights. Of the system of the Common Law there is a saying of Mr. Justice Wendell Holmes which is profoundly true: "The life of the law has not been logic; it has been experience. The felt necessities of the time, the prevalent moral and political theories, intentions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow-men, have had a good deal more to do than the syllogism in determining the rules by which men should be governed. The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics." As the distinguished writer whom I have quoted tells us, we cannot, without the closest application of the historical method, comprehend the genesis and evolution of the English Common Law. Its paradox is that in its beginnings the forms of action came before the substance. It is in the history of English remedies that we have to study the growth of rights. I recall a notable sentence in one of Sir Henry Maine's books. "So great," he declares, "is the ascendancy of the Law of Actions in the infancy of Courts of Justice, that substantive law has, at first, the look of being gradually secreted in the interstices of procedure." I will

add to his observation this: that all our reforms notwithstanding, the dead hands of the old forms of action still rest firmly upon us. In logic the substantive conceptions ought of course to have preceded these forms. But the historical sequence has been different, for reasons with which every competent student of early English history is familiar. The phenomenon is no uncommon one. The time spirit and the spirit of logical form do not always, in a world where the contingent is ever obtruding itself, travel hand in hand. The germs of substantive law were indeed present as potential forces from the beginning, but they did not grow into life until later on. And therefore forms of action have thrust themselves forward with undue prominence. That is why the understanding of our law is, even for the practitioner of to-day, inseparable from knowledge of its history.

As with the Common Law, so it is with Equity. To know the principles of Equity is to know the history of the Courts in which it has been administered, and especially the history of the office which at present I chance myself to hold. Between law and equity there is no other true line of demarcation. The king was the fountain of justice. But to get justice at his hands it was necessary first of all to obtain the king's writ. As Bracton declared, "non potest quis sine brevi agere." But the king could not personally look after the department where such writs were to be obtained. At the head of this, his Chancery, he therefore placed a Chancellor, usually a bishop, but sometimes an archbishop and even a cardinal, for in these days the Church had a grip which to a Lord Chancellor of the twentieth century is unfamiliar. At first the holder of the office was not a judge. But he was keeper of the king's conscience, and his business was to see that the king's subjects had remedies when he considered that they had suffered wrongs. Consequently he began to invent new writs, and finally

to develop remedies which were not confined by the rigid precedents of the Common Law. Thus he soon became a judge. When he found that he could not grant a Common Law writ he took to summoning people before him and to searching their consciences. He inquired, for instance, as to trusts which they were said to have undertaken, and as the result of his inquiries rights and obligations unknown to the Common Law were born in his Court of Conscience. You see at a glance how susceptible such a practice was of development into a complete system of Equity. You would expect, moreover, to find that the ecclesiastical atmosphere in which my official predecessors lived would influence the forms in which they moulded their special system of jurisprudence. This did indeed happen; but even in those days the atmosphere was not merely ecclesiastical. For the Lord High Chancellor in the household of an early English monarch was the king's domestic chaplain, and as, unlike his fellow-servants in the household, the Lord High Steward and the Lord Great Chamberlain, he always possessed the by no means common advantage of being able to read and write, he acted as the king's political secretary. He used, it seems, in early days to live in the palace, and he had a regular daily allowance. From one of the records it appears that his wages were five shillings, a simnel cake, two seasoned simnels, one sextary of clear wine, one sextary of household wine, one large wax candle, and forty small pieces of candle. In the time of Henry II. the modern treasury spirit appears to have begun to walk abroad, for in the records the allowance of five shillings appears as if subjected to a reduction. If he dined away from the palace, *si extra domum comederit*, and was thereby forced to provide extras, then indeed he got his five shillings. But if he dined at home, *intra domum*, he was not allowed more than three shillings and sixpence. The advantage of his

position was, however, that, living in the palace, he was always at the king's ear. He kept the Great Seal through which all great acts of state were manifested. Indeed it was the custody of the Great Seal that made him Chancellor. Even to-day this is the constitutional usage. When I myself was made Lord Chancellor the appointment was effected, not by Letters Patent, nor by writing under the Sign Manual, nor even by words spoken, but by the Sovereign making a simple delivery of the Great Seal into my hands while I knelt before him at Buckingham Palace in the presence of the Privy Council.

The reign of Charles I. saw the last of the ecclesiastical chancellors. The slight sketch of the earlier period which I have drawn shows that in these times might well have developed a great divergence of Equity from the Common Law, under the influence of the canon and Roman laws to which ecclesiastical chancellors would naturally turn. In the old Courts of Equity it was natural that a different atmosphere from that of the Common Law Courts should be breathed. But with the gradual drawing together of the Courts of Law and Equity under lay chancellors the difference of atmosphere disappears, and we see the two systems becoming fused into one.

The moral of the whole story is the hopelessness of attempting to study Anglo-Saxon jurisprudence apart from the history of its growth and of the characters of the judges who created it. It is by no accident that among Anglo-Saxon lawyers the law does not assume the form of codes, but is largely judge-made. We have statutory codes for portions of the field which we have to cover. But those statutory codes come, not at the beginning, but at the end. For the most part the law has already been made by those who practise it before the codes embody it. Such codes with us arrive only with the close of the day, after its heat and burden

have been borne, and when the journey is already near its end.

I have spoken of a spirit and of traditions which have been apparent in English law. But they have made their influence felt elsewhere. My judicial colleagues in the province of Quebec administer a system which is partly embodied in a great modern code, and partly depends on old French law of the period of Louis XIV. They apply, moreover, a good deal of the public and commercial law of England. The relation of the code to these systems has given rise to some controversies. What I have gathered, however, when sitting in the Judicial Committee of the Privy Council, is that a spirit not very different from that of the English lawyers has prevailed in Quebec. The influence of the judges in moulding the law, and of legal opinion in fashioning the shape which it should take, seem to me to have been hardly less apparent in Quebec than elsewhere in Canada. Indeed the several systems of our group of nations, however those systems have originated, everywhere show a similar spirit, and disclose the power of our lawyers in creating and developing the law as well as in changing it, a power which has been more exercised outside the legislature than within it. It is surely because the lawyers of the New World have an influence so potent and so easily wielded that they have been able to use it copiously in a wider field of public affairs than that of mere jurisprudence. It is very striking to the observer to see how many of the names of those who have controlled the currents of public opinion in the United States and Canada alike have been the names of famous lawyers. I think this has been so, partly because the tradition and spirit of the law were always what I have described, and different from that on the Continent of Europe. But it has also been so because, in consequence of that tradition and spirit, the vocation of the lawyer has not, as on the Continent of Europe,

been that of a segregated profession of interpreters, but a vocation which has placed him at the very heart of affairs. In the United Kingdom this has happened in the same fashion, yet hardly to so great an extent, because there has been competition of other and powerful classes whose tradition has been to devote their lives to a Parliamentary career. But in the case of all three nations it is profoundly true that, as was said by the present President of the United States in 1910, in an address delivered to this very Association, "the country must find lawyers of the right sort and the old spirit to advise it, or it must stumble through a very chaos of blind experiment. It never," he went on to add, "needed lawyers who are also statesmen more than it needs them now—needs them in its courts, in its legislatures, in its seats of executive authority—lawyers who can think in the terms of society itself."

And having said so much, I now submit to you my second point. The law has grown by development through the influence of the opinion of society guided by its skilled advisers. But the law forms only a small part of the system of rules by which the conduct of the citizens of a state is regulated. Law, properly so called, whether civil or criminal, means essentially those rules of conduct which are expressly and publicly laid down by the sovereign will of the state, and are enforced by the sanction of compulsion. Law, however, imports something more than this. As I have already remarked, its full significance cannot be understood apart from the history and spirit of the nation whose law it is. Moreover it has a real relation to the obligations even of conscience, as well as to something else which I shall presently refer to as the General Will of Society. In short, if its full significance is to be appreciated, larger conceptions than those of the mere lawyer are essential, conceptions which come to us from the moralist and the sociologist, and without which we cannot see fully how

the genesis of law has come about. That is where writers like Bentham and Austin are deficient. One cannot read a great book like the *Esprit des Lois* without seeing that Montesquieu had a deeper insight than Bentham or Austin, and that he had already grasped a truth which, in Great Britain at all events, was to be forgotten for a time.

Besides the rules and sanctions which belong to law and legality, there are other rules, with a different kind of sanction, which also influences conduct. I have spoken of conscience, and conscience, in the strict sense of the word, has its own court. But the tribunal of conscience is a private one, and its jurisdiction is limited to the individual whose conscience it is. The moral rules enjoined by the private conscience may be the very highest of all. But they are enforced only by an inward and private tribunal. Their sanction is subjective and not binding in the same way on all men. The very loftiness of the motive which makes a man love his neighbour more than himself, or sell all his goods in order that he may obey a great and inward call, renders that motive in the highest cases incapable of being made a rule of universal application in any positive form. And so it was that the foundation on which one of the greatest of modern moralists, Immanuel Kant, sought to base his ethical system, had to be revised by his successors. For it was found to reduce itself to little more than a negative and therefore barren obligation to act at all times from maxims fit for law universal, maxims which, because merely negative, turned out to be inadequate as guides through the field of daily conduct. In point of fact that field is covered, in the case of the citizen, only to a small extent by law and legality on the one hand, and by the dictates of the individual conscience on the other. There is a more extensive system of guidance which regulates conduct and which differs from both in its character and sanction. It applies, like

law, to all the members of a society alike, without distinction of persons. It resembles the morality of conscience in that it is enforced by no legal compulsion. In the English language we have no name for it, and this is unfortunate, for the lack of a distinctive name has occasioned confusion both of thought and of expression. German writers have, however, marked out the system to which I refer and have given it the name of "Sittlichkeit." In his book, *Der Zweck im Recht*, Rudolph von Jhering, a famous professor at Göttingen, with whose figure I was familiar when I was a student there nearly forty years ago, pointed out, in the part which he devoted to the subject of "Sittlichkeit," that it was the merit of the German language to have been the only one to find a really distinctive and scientific expression for it. "Sittlichkeit" is the system of habitual or customary conduct, ethical rather than legal, which embraces all those obligations of the citizen which it is "bad form" or "not the thing" to disregard. Indeed regard for these obligations is frequently enjoined merely by the social penalty of being "cut" or looked on askance. And yet the system is so generally accepted and is held in so high regard, that no one can venture to disregard it without in some way suffering at the hands of his neighbours for so doing. If a man maltreats his wife and children, or habitually jostles his fellow-citizens in the street, or does things flagrantly selfish or in bad taste, he is pretty sure to find himself in a minority and the worse off in the end. But not only does it not pay to do these things, but the decent man does not wish to do them. A feeling analogous to what arises from the dictates of his more private and individual conscience restrains him. He finds himself so restrained in the ordinary affairs of daily life. But he is guided in his conduct by no mere inward feeling, as in the case of conscience. Conscience and, for that matter, law overlap parts of the sphere of social obli-

gation about which I am speaking. A rule of conduct may, indeed, appear in more than one sphere, and may consequently have a twofold sanction. But the guide to which the citizen mostly looks is just the standard recognized by the community, a community made up mainly of those fellow-citizens whose good opinion he respects and desires to have. He has everywhere round him an object-lesson in the conduct of decent people towards each other and towards the community to which they belong. Without such conduct and the restraints which it imposes there could be no tolerable social life, and real freedom from interference would not be enjoyed. It is the instinctive sense of what to do and what not to do in daily life and behaviour that is the source of liberty and ease. And it is this instinctive sense of obligation that is the chief foundation of society. Its reality takes objective shape and displays itself in family life and in our other civic and social institutions. It is not limited to any one form, and it is capable of manifesting itself in new forms and of developing and changing old forms. Indeed the civic community is more than a political fabric. It includes all the social institutions in and by which the individual life is influenced—such as are the family, the school, the church, the legislature, and the executive. None of these can subsist in isolation from the rest; together they and other institutions of the kind form a single organic whole, the whole which is known as the Nation. The spirit and habit of life which this organic entirety inspires and compels are what, for my present purpose, I mean by "Sittlichkeit." "Sitte" is the German for custom, and "Sittlichkeit" implies custom and a habit of mind and action. It also implies a little more. Fichte¹ defines it in words which are worth quoting,

¹*Grundzüge des Gegenwärtigen Zeitalters*, Werke, Band vii., p. 214.

and which I will put into English: "What, to begin with," he says, "does 'Sitte' signify, and in what sense do we use the word? It means for us, and means in every accurate reference we make to it, those principles of conduct which regulate people in their relations to each other, and which have become matter of habit and second nature at the stage of culture reached, and of which, therefore, we are not explicitly conscious. Principles, we call them, because we do not refer to the sort of conduct that is casual or is determined on casual grounds, but to the hidden and uniform ground of action which we assume to be present in the man whose action is not deflected and from which we can pretty certainly predict what he will do. Principles, we say, which have become a second nature and of which we are not explicitly conscious. We thus exclude all impulses and motives based on free individual choice, the inward aspect of 'Sittlichkeit,' that is to say morality, and also the outward side, or law, alike. For what a man has first to reflect over and then freely to resolve is not for him a habit in conduct; and in so far as habit in conduct is associated with a particular age, it is regarded as the unconscious instrument of the Time Spirit."

The system of ethical habit in a community is of a dominating character, for the decision and influence of the whole community is embodied in that social habit. Because such conduct is systematic and covers the whole of the field of society, the individual will is closely related by it to the will and spirit of the community. And out of this relation arises the power of adequately controlling the conduct of the individual. If this power fails or becomes weak the community degenerates and may fall to pieces. Different nations excel in their "Sittlichkeit" in different fashions. The spirit of the community and its ideals may vary greatly. There may be a low level of "Sittlichkeit"; and we have the spectacle of nations which have even degenerated in this

respect. It may possibly conflict with law and morality, as in the case of the duel. But when its level is high in a nation we admire the system, for we see it not only guiding a people and binding them together for national effort, but affording the greatest freedom of thought and action for those who in daily life habitually act in harmony with the General Will.

Thus we have in the case of a community, be it the city or be it the state, an illustration of a sanction which is sufficient to compel observance of a rule without any question of the application of force. This kind of sanction may be of a highly compelling quality, and it often extends so far as to make the individual prefer the good of the community to his own. The development of many of our social institutions, of our hospitals, of our universities, and of other establishments of the kind, shows the extent to which it reaches and is powerful. But it has yet higher forms in which it approaches very nearly to the level of the obligation of conscience, although it is distinct from that form of obligation. I will try to make clear what I mean by illustrations. A man may be impelled to action of a high order by his sense of unity with the society to which he belongs, action of which, from the civic standpoint, all approve. What he does in such a case is natural to him, and is done without thought of reward or punishment; but it has reference to standards of conduct set up by society and accepted just because society has set them up. There is a poem by the late Sir Alfred Lyall which exemplifies the high level that may be reached in such conduct. The poem is called *Theology in Extremis*, and it describes the feelings of an Englishman who had been taken prisoner by Mahometan rebels in the Indian Mutiny. He is face to face with a cruel death. They offer him his life if he will repeat something from the Koran. If he complies, no one is likely ever to hear of it, and he will be free to return to England and to the woman

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he loves. Moreover, and here is the real point, he is not a believer in Christianity, so that it is no question of denying his Saviour. What ought he to do? Deliverance is easy, and the relief and advantage would be unspeakably great. But he does not really hesitate, and every shadow of doubt disappears when he hears his fellow-prisoner, a half-caste, pattering eagerly the words demanded.

He himself has no hope of heaven and he loves life—

“Yet for the honour of English race
May I not live or endure disgrace.
Ay, but the word if I could have said it,
I by no terrors of hell perplexed.
Hard to be silent and have no credit
From man in this world, or reward in the next;
None to bear witness and reckon the cost
Of the name that is saved by the life that is lost.
I must begone to the crowd untold
Of men by the cause which they served unknown,
Who moulder in myriad graves of old;
Never a story and never a stone
Tells of the martyrs who die like me
Just for the pride of the old countree.”

I will take another example, this time from the literature of ancient Greece.

In one of the shortest but not least impressive of his *Dialogues*, the “Crito,” Plato tells us of the character of Socrates, not as a philosopher, but as a good citizen. He has been unjustly condemned by the Athenians as an enemy to the good of the state. Crito comes to him in prison to persuade him to escape. He urges on him many arguments, his duty to his children included. But Socrates refuses. He chooses to follow, not what anyone in the crowd might do, but the example which the ideal citizen should set. It would be a breach of his duty to fly from the judgment duly passed in the Athens

to which he belongs, even though he thinks the decree should have been different. For it is the decree of the established justice of his City State. He will not "play truant." He hears the words, "Listen, Socrates, to us who have brought you up"; and in reply he refuses to go away, in these final sentences: "This is the voice which I seem to hear murmuring in my ears, like the sound of the flute in the ears of the mystic; that voice, I say, is murmuring in my ears, and prevents me from hearing any other. And I know that anything more which you may say will be vain."

Why do men of this stamp act so, it may be when leading the battle line, it may be at critical moments of quite other kinds? It is, I think, because they are more than mere individuals. Individual they are, but completely real, even as individual, only in their relation to organic and social wholes in which they are members, such as the family, the city, the state. There is in every truly organised community a Common Will which is willed by those who compose that community, and who in so willing are more than isolated men and women. It is not, indeed, as unrelated atoms that they have lived. They have grown, from the receptive days of childhood up to maturity, in an atmosphere of example and general custom, and their lives have widened out from one little world to other and higher worlds, so that, through occupying successive stations in life, they more and more come to make their own the life of the social whole in which they move and have their being. They cannot mark off or define their own individualities without reference to the individualities of others. And so they unconsciously find themselves as in truth pulse-beats of the whole system, and themselves the whole system. It is real in them and they in it. They are real only because they are social. The notion that the individual is the highest form of reality, and that the relationship of individuals is one of mere contract, the

notion of Hobbes and of Bentham and of Austin, turns out to be quite inadequate. Even of an every-day contract, that of marriage, it has been well said that it is a contract to pass out of the sphere of contract, and that it is possible only because the contracting parties are already beyond and above that sphere. As a modern writer, F. H. Bradley of Oxford, to whose investigations in these regions we owe much, has finely said :¹

“ The moral organism is not a mere animal organism. In the latter the member is not aware of itself as such, while in the former it knows itself, and therefore knows the whole in itself. The narrow external function of the man is not the whole man. He has a life which we cannot see with our eyes, and there is no duty so mean that it is not the realisation of this, and knowable as such. What counts is not the visible outer work so much as the spirit in which it is done. The breadth of my life is not measured by the multitude of my pursuits, nor the space I take up amongst other men ; but by the fulness of the whole life which I know as mine. It is true that less now depends on each of us as this or that man ; it is not true that our individuality is therefore lessened, that therefore we have less in us.”

There is, according to this view, a General Will with which the will of the good citizen is in accord. He feels that he would despise himself were his private will not in harmony with it. The notion of the reality of such a will is no new one. It is as old as the Greeks, for whom the moral order and the city state were closely related ; and we find it in modern books in which we do not look for it. Jean Jacques Rousseau is probably best known to the world by the famous words in which he begins the first chapter of the *Social Contract*: “ Man is born free, and everywhere he is in chains. Those who think themselves to be the masters of others cease not to be greater slaves than the people they govern.” He goes

¹ *Ethical Studies*, p. 131.

on in the next paragraph to tell us that if he were only to consider force and the effects of it, he would say that if a nation was constrained to obey and did obey, it did well, but that whenever it could throw off its yoke and did throw it off, it acted better. His words, written in 1762, became a text for the pioneers of the French Revolution. But they would have done well to read further into the book. As Rousseau goes on we find a different conception. He passes from considering the fiction of a Social Contract to a discussion of the power over the individual of the General Will, by virtue of which a people becomes a people. This General Will, the *Volonté Générale*, he distinguishes from the *Volonté de Tous*, which is a mere numerical sum of individual wills. These particular wills do not rise above themselves. The General Will, on the other hand, represents what is greater than the individual volition of those who compose the society of which it is the will. On occasions, this higher will is more apparent than at other times. But it may, if there is social slackness, be difficult to distinguish from a mere aggregate of voices, from the will of a mob. What is interesting is that Rousseau, so often associated with doctrine of quite another kind, should finally recognise the bond of a General Will as what really holds the community together. For him, as for those who have had a yet clearer grasp of the principle, in willing the General Will we not only realise our true selves but we may rise above our ordinary habit of mind. We may reach heights which we could not reach, or which at all events most of us could not reach, in isolation. There are few observers who have not been impressed with the wonderful unity and concentration of purpose which an entire nation may display—above all, in a period of crisis. We see it in time of war, when a nation is fighting for its life or for a great cause. We have seen it in Japan, and we have seen it still more recently among

the peoples of the Balkan Peninsula. We have marvelled at the illustrations with which history abounds of the General Will rising to heights of which but few of the individual citizens in whom it is embodied have ever before been conscious even in their dreams.

In his life of Themistocles Plutarch tells us how even in time of peace the leader of the Athenian people could fashion them into an undivided community and inspire them to rise above themselves. It was before the Persians had actually threatened to invade Attica that Themistocles foresaw what would come. Greece could not raise armies comparable in numbers to those of the Persian kings. But he told his people that the oracle had spoken thus: "When all things else are taken within the boundary of Cecrops and the covert of divine Cithaeron, Zeus grants to Athena that the wall of wood alone shall remain uncaptured, which shall help thee and thy children." The Athenian citizens were accustomed in each year to divide among themselves the revenue of their silver mines at Laurium. Themistocles had the daring, so Plutarch tells us, to come forward and boldly propose that the usual distribution should cease, and that they should let him spend the money for them in building a hundred ships. The citizens rose to his lead, the ships were built, and with them the Greeks were able at a later date to win against Xerxes the great sea-fight at Salamis, and to defeat an invasion by the hosts of Persia which, had it succeeded, might have changed the course of modern as well as ancient history.

By such leadership it is that a common ideal can be made to penetrate the soul of a people, and to take complete possession of it. The ideal may be very high, or it may be of so ordinary a kind that we are not conscious of it without the effort of reflection. But when it is there it influences and guides daily conduct. Such idealism passes beyond the sphere of law, which

provides only what is necessary for mutual protection and liberty of just action. It falls short, on the other hand, in quality of the dictates of what Kant called the Categorical Imperative that rules the private and individual conscience, but that alone, an Imperative which therefore gives insufficient guidance for ordinary and daily social life. Yet the ideal of which I speak is not the less binding; and it is recognised as so binding that the conduct of all good men conforms to it.

Thus we find within the single state the evidence of a sanction which is less than legal but more than merely moral, and which is sufficient, in the vast majority of the events of daily life, to secure observance of general standards of conduct without any question of resort to force. If this is so within a nation, can it be so as between nations? That brings me at once to my third point. Can nations form a group or community among themselves within which a habit of looking to common ideals may grow up sufficiently strong to develop a General Will, and to make the binding power of these ideals a reliable sanction for their obligations to each other?

There is, I think, nothing in the real nature of nationality that precludes such a possibility. A famous student of history has bequeathed to us a definition of nationality which is worth attention; I refer to Ernest Renan, of whom George Meredith once said to me, while the great French critic was still living, that there was more in his head than in any other head in Europe. Renan tells us that "Man is enslaved neither by his race, nor by his language, nor by his religion, nor by the course of rivers, nor by the direction of mountain ranges. A great aggregation of men, sane of mind and warm of heart, creates a moral consciousness which is called a nation." Another acute critic of life, Matthew Arnold, citing one still greater than himself, draws what is in effect a deduction from

the same proposition. "Let us," he says,¹ "conceive of the whole group of civilised nations as being, for intellectual and spiritual purposes, one great confederation, bound to a joint action and working towards a common result; a confederation whose members have a due knowledge both of the past, out of which they all proceed, and of each other. This was the ideal of Goethe, and it is an ideal which will impose itself upon the thoughts of our modern societies more and more."

But while I admire the faith of Renan and Arnold and Goethe in what they all three believed to be the future of humanity, there is a long road yet to be travelled before what they hoped for can be fully accomplished. Grotius concludes his great book on War and Peace with a noble prayer: "May God write," he said, "these lessons — He Who alone can — on the hearts of all those who have the affairs of Christendom in their hands. And may He give to those persons a mind fitted to understand and to respect rights, human and divine, and lead them to recollect always that the ministration committed to them is no less than this, that they are the Governors of Man, a creature most dear to God."

The prayer of Grotius has not yet been fulfilled, nor do recent events point to the fulfilment being near. The world is probably a long way off from the abolition of armaments and the peril of war. For habits of mind which can be sufficiently strong with a single people can hardly be as strong between nations. There does not exist the same extent of common interest, of common purpose, and of common tradition. And yet the tendency, even as between nations that stand in no special relation to each other, to develop such a habit of mind is in our time becoming recognisable. There are signs that the best people in the best nations

¹ *Preface to the Poems of Wadsworth.*

are ceasing to wish to live in a world of mere claims, and to proclaim on every occasion "Our country, right or wrong." There is growing up a disposition to believe that it is good, not only for all men but for all nations, to consider their neighbours' point of view as well as their own. There is apparent at least a tendency to seek for a higher standard of ideals in international relations. The barbarism which once looked to conquest and the waging of successful war as the main object of statesmanship, seems as though it were passing away. There have been established rules of International Law which already govern the conduct of war itself, and are generally observed as binding by all civilised people, with the result that the cruelties of war have been lessened. If practice falls short of theory, at least there is to-day little effective challenge of the broad principle that a nation has as regards its neighbours' duties as well as rights. It is this spirit that may develop as time goes on into a full international "Sittlichkeit." But such development is certainly still easier and more hopeful in the case of nations with some special relation, than it is within a mere aggregate of nations. At times a common interest among nations with special relations of the kind I am thinking of gives birth to a social habit of thought and action which in the end crystallises into a treaty, a treaty which in its turn stimulates the process that gave it birth. We see this in the case of Germany and Austria, and in that of France and Russia. Sometimes a friendly relationship grows up without crystallising into a general treaty. Such has been the case between my own country and France. We have no convention excepting one confined to the settlement of old controversies over specific subjects, a convention which has nothing to do with war. None the less, since in that convention there was embodied the testimony of willingness to give as well as to take, and to be

mutually understanding and helpful, there has arisen between France and England a new kind of feeling which forms a real tie. It is still young, and it may stand still or diminish. But equally well it may advance and grow, and it is earnestly to be hoped that it will do so.

Recent events in Europe and the way in which the Great Powers have worked together to preserve the peace of Europe, as if forming one community, point to the ethical possibilities of the group system as deserving of close study by both statesmen and students. The "Sittlichkeit" which can develop itself between the peoples of even a loosely connected group seems to promise a sanction for International Obligation which has not hitherto, so far as I know, attracted attention in connection with International Law. But if the group system deserves attention in the cases referred to, how much more does it call for attention in another and far more striking case!

In the year which is approaching, a century will have passed since the United States and the people of Canada and Great Britain terminated a great war by the Peace of Ghent. On both sides the combatants felt that war to be unnatural and one that should never have commenced. And now we have lived for nearly a hundred years, not only in peace, but also, I think, in process of coming to a deepening and yet more complete understanding of each other, and to the possession of common ends and ideals, ends and ideals which are natural to the Anglo-Saxon group, and to that group alone. It seems to me that within our community there is growing an ethical feeling which has something approaching to the binding quality of which I have been speaking. Men may violate the obligations which that feeling suggests, but by a vast number of our respective citizens it would not be accounted decent to do so. For the nations in such a group as ours to violate these

obligations would be as if respectable neighbours should fall to blows because of a difference of opinion. We may disagree on specific points and we probably shall, but the differences should be settled in the spirit and in the manner in which citizens usually settle their differences. The new attitude which is growing up has changed many things, and made much that once happened no longer likely to recur. I am concerned when I come across things that were written about America by British novelists only fifty years ago, and I doubt not that there are some things in the American literature of days gone past which many here would wish to have been without. But now that sort of writing is happily over, and we are realising more and more the significance of our joint tradition and of the common interests which are ours. It is a splendid example to the world that Canada and the United States should have nearly four thousand miles of frontier practically unfortified. As an ex-War Minister, who knows what a saving in unproductive expenditure this means, I fervently hope that it may never be otherwise.

But it is not merely in external results that the pursuit of a growing common ideal shows itself when such an ideal is really in men's minds. It transforms the spirit in which we regard each other, and it gives us faith in each other—

“ Why, what but faith, do we abhor
And idolise each other for—
Faith in our evil or our good,
Which is or is not understood
Aright by those we love or those
We hate, thence called our friends or foes.”

I think that for the future of the relations between the United States on the one hand and Canada and Great Britain on the other, those who are assembled in this great mass meeting have their own special re-

sponsibility. We who are the lawyers of the New World and of the old mother country possess, as I have said to you, a tradition which is distinctive and peculiarly our own. We have been taught to look on our system of justice, not as something that waits to be embodied in abstract codes before it can be said to exist, but as what we ourselves are progressively and co-operatively evolving. And our power of influence is not confined to the securing of municipal justice. We play a large part in public affairs, and we influence our fellow-men in questions which go far beyond the province of the law, and which extend in the relations of society to that "Sittlichkeit" of which I have spoken. In this region we exert much control. If, then, there is to grow up among the nations of our group, and between that group and the rest of civilisation, a yet further development of "Sittlichkeit," has not our profession special opportunities of influencing opinion, which are coupled with a deep responsibility? To me, when I look to the history of our calling in the three countries, it seems that the answer to this question requires no argument and admits of no controversy. It is our very habit of regarding the law and the wider rules of conduct which lie beyond the law as something to be moulded afresh as society develops, and to be moulded best if we co-operate steadily, that gives us an influence perhaps greater than is strictly ours, an influence which may in affairs of the state be potently exercised for good or for evil.

This, then, is why, as a lawyer speaking to lawyers, I have a strong sense of responsibility in being present here to-day, and why I believe that many of you share my feeling. A movement is in progress which we, by the character of our calling as judges and as advocates, have special opportunities to further. The sphere of our action has its limits, but at least it is given to us as a body to be the counsellors of our fellow-citizens in

public and in private life alike. I have before my mind the words which I have already quoted of the present President of the United States, when he spoke of "lawyers who can think in the terms of society itself." And I believe that if, in the language of yet another president, in the famous words of Lincoln, we as a body in our minds and hearts "highly resolve" to work for the general recognition by society of the binding character of international duties and rights as they arise within the Anglo-Saxon group, we shall not resolve in vain. A mere common desire may seem an intangible instrument, and yet, intangible as it is, it may be enough to form the beginning of what in the end can make the whole difference. Ideas have hands and feet, and the ideas of a congress such as this may affect public opinion deeply. It is easy to fail to realise how much an occasion like the assemblage in Montreal of the American Bar Association, on the eve of a great international centenary, can be made to mean, and it is easy to let such an occasion pass with a too timid modesty. Should we let it pass now, I think a real opportunity for doing good will just thereby have been missed by you and me. We need say nothing; we need pass no cut and dried resolution. It is the spirit and not the letter that is the one thing needful.

I do not apologise for having trespassed on the time and attention of this remarkable meeting for so long, or for urging what may seem to belong more to ethics than to law. We are bound to search after fresh principles if we desire to find firm foundations for a progressive practical life. It is the absence of a clear conception of principle that occasions some at least of the obscurities and perplexities that beset us in the giving of counsel and in following it. On the other hand, it is futile to delay action until reflection has cleared up all our difficulties. If we would learn to swim, we must first enter the water. We must not refuse to

begin our journey until the whole of the road we may have to travel lies mapped out before us. A great thinker declares that it is not Philosophy which first gives us the truth that lies to hand around us, and that mankind has not to wait for Philosophy in order to be conscious of this truth. Plain John Locke put the same thing in more homely words when he said that "God has not been so sparing to men to make them two-legged creatures, and left it to Aristotle to make them rational." Yet the reflective spirit does help, not by furnishing us with dogmas or final conclusions, or even with lines of action that are always definite, but by the insight which it gives, an insight that develops in us what Plato called the "synoptic mind," the mind that enables us to see things steadily as well as to see them whole.

And now I have expressed what I had in my mind. Your welcome to me has been, indeed, a generous one, and I shall carry the memory of it back over the Atlantic. But the occasion has seemed to me significant of something beyond even its splendid hospitality. I have interpreted it, and I think not wrongly, as the symbol of a desire that extends beyond the limits of this assemblage. I mean the desire that we should steadily direct our thoughts to how we can draw into closest harmony the nations of a race in which all of us have a common pride. If that be now a far-spread inclination, then indeed may the people of three great countries say to Jerusalem, "Thou shalt be built," and to the Temple, "Thy foundation shall be laid."

THE CONTROL OF THE FIGHTING INSTINCT

INSTINCTS ARE TO BE TAMED, NOT KILLED

There have always been two rival ways of dealing with troublesome instincts—to root them out, and to cultivate and train them. The instinct to accumulate property has been troublesome: the love of possessions has killed the love of men; it has led to envy and theft and murder. And so we have been urged to perfection along two different paths. The one is, to maim and kill the instinct of accumulating; a man shall have no private possessions, he must vow poverty, all goods must be held in common.

Over against this negative course is the positive: he must accumulate, but wisely; he must keep his integrity in his property-getting, he must guard the avenues by which his wealth comes in; its use, finally, must be with an eye to the common good. Likewise with the love which men have for women, and women for men. It is a troublesome instinct; all know the misery it has brought to the world. And here

again the negative and the positive course have had their earnest advocates. The one way has been to renounce all such affection, renounce the association that is apt to give it life, renounce marriage. The other way is to take this wild thing and tame it. It must play its part in life, no longer as a wayward and consuming impulse, but something constant and generous.

Now in these, as in all other large problems of the kind, there can be no serious doubt as to which has proved the wise, the only practical way. It is, to prohibit certain manifestations of the instinct, but not its exercise entire. Prohibit the possession of slaves, but not possessions. Prohibit polygamy, but not marriage. Keep open the better way; put barriers at the worse. And so it must be with the fighting instinct. It is in us, it must become of use. It must be exercised, but only under the counsel of a calm wisdom.

WE SHOULD NURSE COUNTERACTING INSTINCTS

A first principle in forcing the fighting instinct into proper and temperate use is to nurse some counteracting instinct. For as muscles so often work effectively in pairs, extensor tugging against flexor, so it is with instincts. And opposed to the fighting instinct, and as its corrective if strong enough, there comes

early and naturally into life an instinct of trust and friendliness. But if this is not given opportunity and exercise early, the later-coming instinct of hostility then grows rank. Spalding's experiments with chicks here come to mind. He found that if one of these was kept hooded or shut away for a certain time, the normal instinct to follow and be friendly did not then appear when the little thing was brought to its mother. The term for this instinct of friendliness had passed and the opposite instinct of fear and flight was now in complete control: the chicks that if unhooded the day before would have run to him now fled as from a hawk. Miss Field, experimenting with ants, finds that if the young of different species are put together within the first twelve hours, they live happily ever after. But if they are put together only after a first brief term has passed, they then fight to the death.

Something like this is doubtless true of human life. A certain early familiarity with foreign peoples as they really are, learning early to see them face to face mentally, to understand their affections and aims and turns of thought, gives friendliness an advantage over the hostile impulse. The telegraph, the newspaper, the railway and the ocean steamer are part of the mechanism—of war often—but more essentially of

peace. They take off the hood early; almost in time they put us into the same nest. They bring to bear upon each people instantly the opinion of all others. And the government of the world, like that of a single nation, is coming more and more to be by public opinion.

A HINT FROM DUELLING

But beside public opinion we need definite institutions and procedure. We need especially to perfect the machinery of postponement; for the fighting instinct fattens on instant action, and pales with delay. Experience has shown that if men are to fight in single combat it is well to have all the formalities of the code of honor; that under its deliberate elegance the fight usually evaporates into an apology. If, as my morning paper assures me, there are certain questions that no nation can afford to arbitrate very well! But let us at least have some disinterested representatives of the hostile countries exchange courtesies. Let them fix the not-too-early date when the dogs of war shall be unleashed. They could select the most suitable place in mid-ocean where the assembled navies might clear for action. Or the peaceful plain might be chosen for the clash of armies, with surgeons and reviving cordials ready on the spot. Let our killing be

done decently and in order, with the breeding of Virginia gentlemen. This flying at each other's throats without warning or declaration, without letting disinterested advisers tell us whether it is a situation that demands a fight—all this is lacking in quality, and befits poor mountain-whites. There is, in all seriousness, an imperative need of delay, of established methods of intermediation that must be gone through in every case, to exhaust the clear means of arranging a clash of interests, before assault itself can be tolerated.* All this is quite apart from the question as to what can, and what cannot, be arbitrated. It is merely the development of a code governing the course of honorable nations that contemplate war. Its psychological effect upon impulse would be incalculable; it would actually prevent war after war. A frog whose brain has been removed acts under irritation far more precipitately than if the brain is left intact. A prime use of a brain and intelligence is to put obstacles to hair-trigger action.

THE HAGUE AS A MENTAL CHECK

But farther than any system of delay, we need to support and urge on the development of an institu-

* This principle has become of especial interest since the Secretary of State, Mr. Bryan, has recently proposed actually to introduce it into the practice of nations.

tion that is the chief glory of our time. Our generation actually sees the beginning of an international court to which nations may go who wish to have a peaceful and disinterested settlement of their dispute. The court at The Hague is a fact whose significance is out of all proportion to what has yet come from it. It is like a corner-stone, or a new birth. It marks a new era for the fighting instinct. For we here see for the first time in the world's life, an independent and disinterested and permanent organ of international judgment. It inevitably will disappoint the eager, it will be used sparingly at first; it may be charged with timidity or bias. Its decisions may not always prevent war. But in the end its repressive influence will be enormous. The nation that goes to war refusing to submit its case to the court will almost have confessed that its purpose cannot stand the disinterested judgment of mankind. And a nation that fights in the face of its decision will fight against fearful odds. The very decision of such a tribunal will form the world's opinion and give it an almost irresistible force. Its mere waiting presence will cultivate in men this habit of thought, that in a clash of interests the ones in the din and thick of it are not the best judges of its merits. Even when we think we are working for the

common good, nothing is easier than delusion. Any person, any nation, that has a burning desire can always see the satisfaction of this desire as a great public benefit. So we need to have seared into our minds the maxim that the stronger our own interests seem—the more axiomatic it appears that here is a conflict which we cannot afford to let others decide—the readier should we be to obtain and listen to high judgment from without; the less can we trust our own judgment. This will be one of the great goods that an international court and all like institutions that may be devised will bring. They will free nations from some of their excuses and delusions.

PHYSICAL COMBATIVENESS NEEDS SEDATIVES, NOT
STIMULANTS

One may try to be judicial in his account of fighting and especially of nations in arms. Yet it must always be with difficulty. We rightly admire some fever and intemperance here—some hot anger that upon such a theme cannot abide cool weighing and the nice distinction of wars into righteous and unholy, but yields them all to the devil and cries that they must cease.

Indeed, our great practical need is not so much to proclaim the proper occasions of war, as to arouse in

all people a deep distrust of war and all it means; to create an almost blind presumption that in every case war is avoidable and unjustified; that armies and navies are primarily for war and not for peace; that they create suspicion, and their movements and increase have constantly to be explained; they keep before the mind the probability of conflict; they make men readier to go into war in haste when we ought to do all for delay and deliberation. The fighting instinct is strong enough in us; those do us measureless injury who try to nourish it. The hot-headedness of the people to-day brings the greatest danger of war, especially if the means of waging it—a great army and a great navy—are at hand. When irritating occasions arise the difficulty with us is in curbing the war spirit, not in spurring it on.

THE UNIQUE OPPORTUNITY OF THE UNITED STATES

Here as elsewhere, example and leadership are required. There is need of a nation that has an eye to the future, that sees the immensity of the issue, that is original and not imitative, and is willing to take a risk for peace and the common good. For our own nation there opens a way of rare ambition—a way easier for us to pursue than for any other leading peo-

ple. We are freer to choose our course. We are more isolated from powerful neighbors, and less menaced; there stand against us fewer ancient grudges; we ourselves have no old scores to settle, are less forced to assume a bellicose tone. The great mass of the people early appreciated this unique position. America was confidently expected—she expected herself—to illustrate supremely the love of peace, the hatred of war. We felt that ours was a mission to the world, to show that a nation, like a man, could live with quiet honor. It must be confessed that this high hope has never been fully realized. There is the disappointment that in our short history we have had, besides all our fighting with the Indians, a great civil war and four foreign wars. Yet in regard to arbitration, we have contributed signally to the world's peace. In our people, however, we need to fan the fire of spiritual ambition; we need a renewed enthusiasm for the uncommon destiny that is offered us. Ours is the responsibility to all the world to guide and check the fighting impulse. We are called first; but if we fail, others will have the leadership and the honor. For the work will surely be performed.

THE PERMANENT PLACE OF THE FIGHTING INSTINCT

I have said that an instinct is something not to be ruled out, but to be preserved and directed and made tributary to the common weal. Even were war to become the rarest thing and occasioned only by those who defy the express judgment of the world, there is still the amplest scope for the fighting temper. There are other ways to fight than by soldiery and battleships. There are many things to fight for, when we no longer have the dread of foreign foes. We need anger, but anger against wrong-doing right at hand; against those in our cities who oppose justice, against men who place business above honor and country, against those who oppress the poor, against those who spread disease and vice. Against these the fighting blood must be kept hot. The struggle to bring this old world of ours nearer to the heart's desire, has always been pictured by humanity as a great spiritual war. The imagery of attack and defence has always seemed appropriate to high endeavor, as in Luther's *Ein' feiste Burg*. So we see stretching forward an eternal future for the combative instinct—to fight error, to fight ugliness in all forms, to fight the wronging of men. That country will be a world-power indeed, all of whose

might is in the struggle for truly great spiritual possessions; when the only forces with which it will have no peace are those that hinder the art of happy and high living.

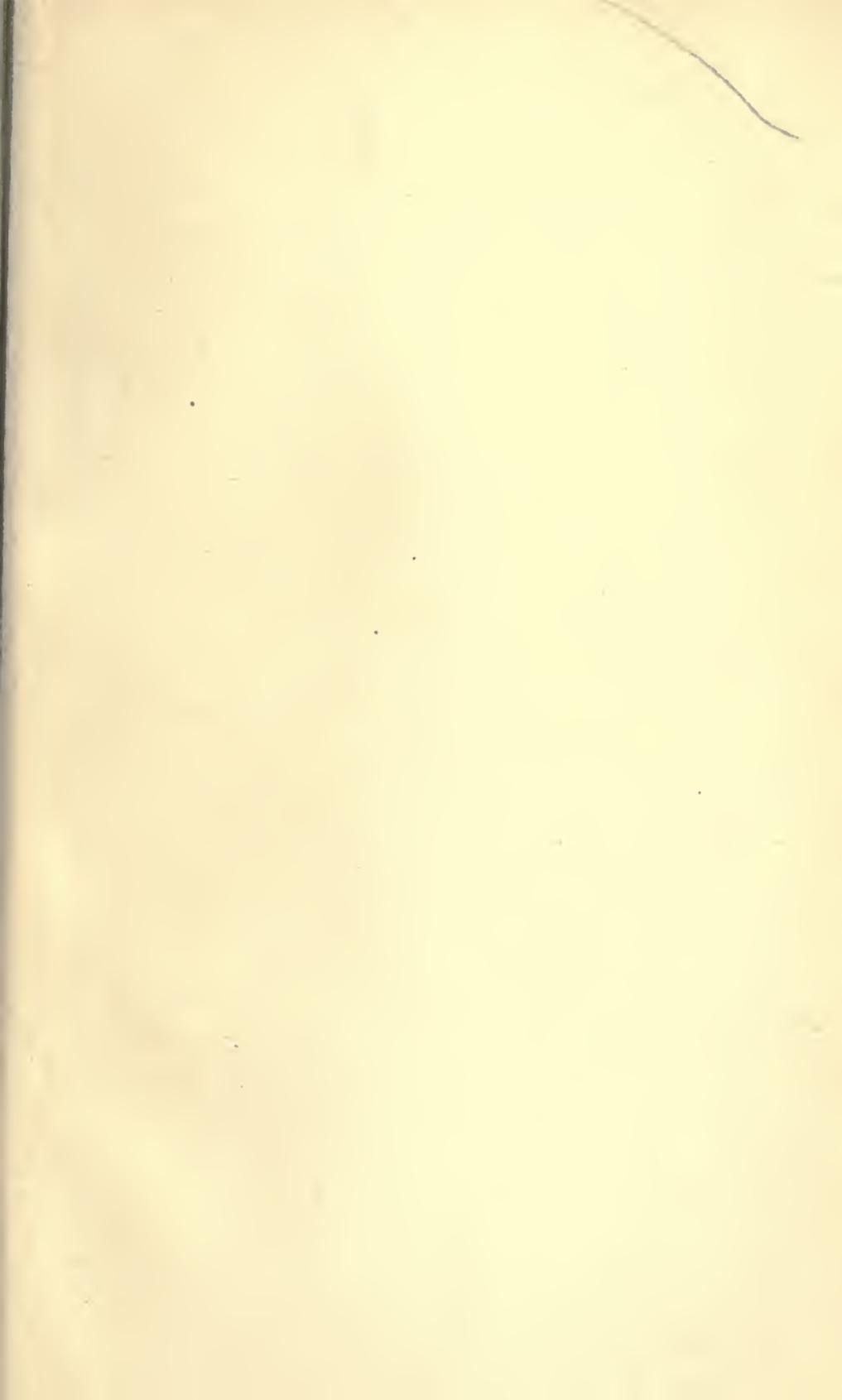
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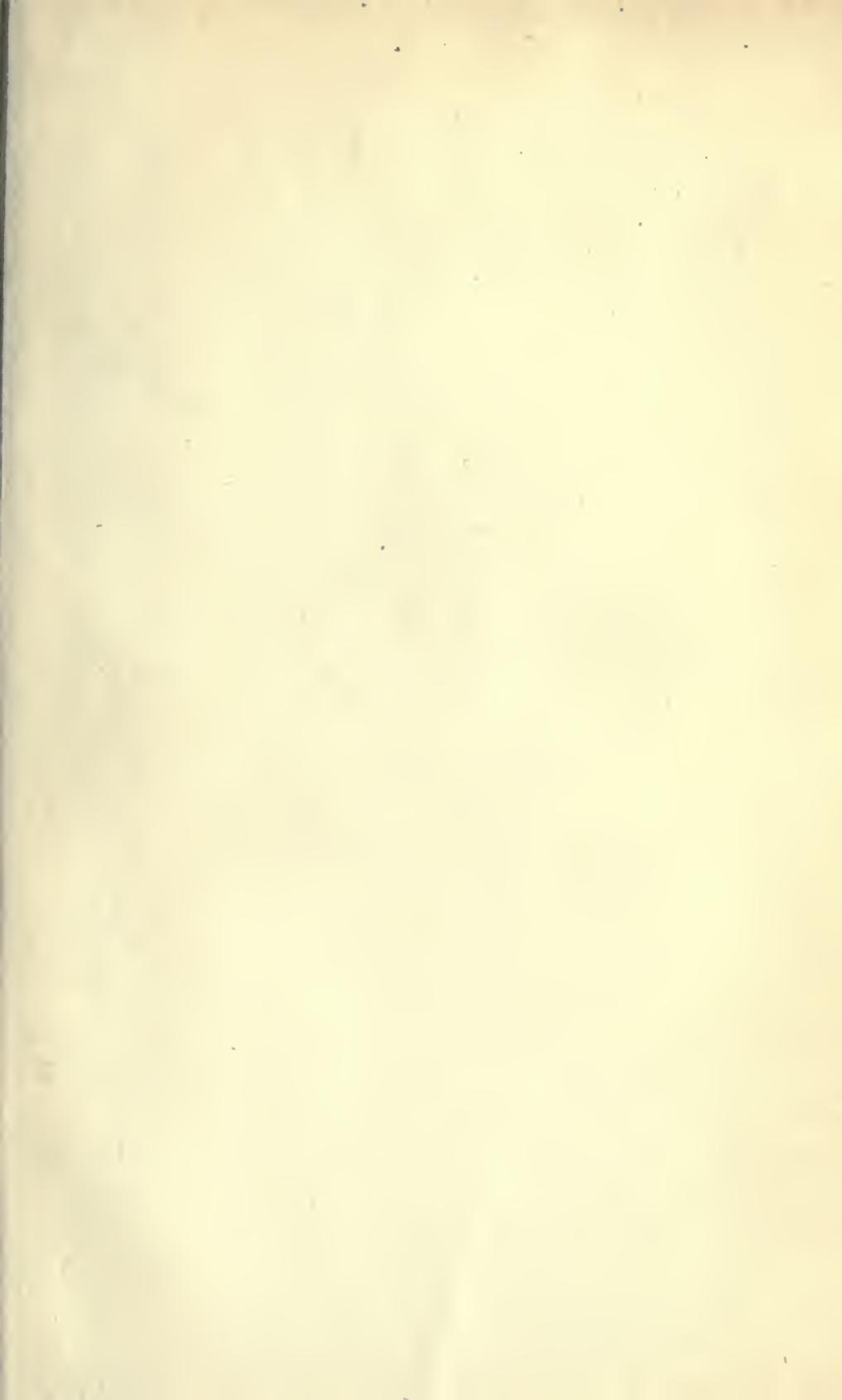
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